

## **DOCTORAL THESIS**

### **Parliamentary Discourse on Sexuality over a Period of Legislative Change: 1986-2005**

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Parliamentary Discourse on Sexuality  
over a Period of Legislative Change:  
1986-2005

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for the degree of PhD

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## ABSTRACT

*This study investigates the landslide legislative changes affecting lesbians and gay men between 1986 and 2005. It offers six fully-contextualised Critical Discourse Analyses of key Westminster parliamentary debates on attempted and actual changes in the law in two periods: 1986-1996 and 2001-2004. In addition, it offers a corpus analysis of all key debates in each period. This enables comparisons of the language used and arguments deployed by speakers who supported lesbians and gay men and those who did not, as well as a comparison of the two periods. On the basis that Members of Parliament, particularly in the House of Commons, draw on the beliefs and values of the sections of society they represent and indirectly address via the media, the overall interest of the study is in the nature and extent of social change this legislative landslide suggests. The study's particular focus is on shifts and continuities in the cluster of institutionalised beliefs that constitute homophobia and the institutional arrangements that support them. The content and contexts of these beliefs are initially traced via past laws pertaining to same-sex sexual acts, in most cases sex between men. This shows firstly, how each law was enacted to serve different socio-political purposes in different historical periods and secondly, how their intermittent periods of enforcement coincided with the needs of prevailing rulers to maintain power and social control. Thus homophobic beliefs ebbed and flowed according to the needs of ruling powers. This phenomenon applies past and present and constitutes the ethos of the study. It demonstrates both the residual nature of a prejudice with a very long history and the salient beliefs and values behind arguments used for and against it in contemporary contexts.*



For Vanessa,  
Molly, Amy, Terry, Leo, Nell, Violet and Liv  
with love  
and in hope of a fairer world for all.



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# Acronyms

<b>AMICA</b>	Aid for Mothers Involved in Contact Action
<b>ANC</b>	African National Congress
<b>BAAF</b>	British Agencies for Adoption and Fostering
<b>BMA</b>	British Medical Association
<b>BNC</b>	British National Corpus
<b>BNP</b>	British National Party
<b>CCTV</b>	Closed Circuit Television Camera
<b>CDA</b>	Critical Discourse Analysis
<b>CFB</b>	Committee for a Free Britain
<b>CFC</b>	Conservative Family Campaign
<b>CHE</b>	Committee for Homosexual Equality (1964-1971) and Campaign for Homosexual Equality (from 1971)
<b>CL</b>	Corpus Linguistics
<b>CND</b>	Campaign for Nuclear Disarmament
<b>CoE</b>	Church of England
<b>CoS</b>	Church of Scotland
<b>CPA</b>	Civil Partnership Act
<b>CPS</b>	Crown Prosecution Service
<b>CRE</b>	Commission for Racial Equality (part of EHRC from 2007)
<b>DHA</b>	Discourse Historical Approach
<b>DHSS</b>	Department of Health and Social Security
<b>DoH</b>	Department of Health
<b>DTI</b>	Department of Trade and Industry
<b>DUP</b>	Democratic Unionist Party (Northern Ireland)
<b>ECJ</b>	European Court of Justice
<b>ECmHR</b>	European Commission on Human Rights
<b>ECtHR</b>	European Court of Human Rights
<b>ECvHR</b>	European Convention on Human Rights
<b>EDM</b>	Early Day Motion
<b>EERM</b>	European Exchange Rate Mechanism
<b>EHRC</b>	Equality and Human Rights Commission
<b>EU</b>	European Union
<b>GLC</b>	Greater London Council (abolished 1986)

<b>GLF</b>	Gay Liberation Front
<b>GOR</b>	Genuine Occupational Requirement
<b>GRA</b>	Gender Recognition Act
<b>HC</b>	House of Commons
<b>HCA</b>	Hall Carpenter Archives
<b>HEA</b>	Health Education Authority
<b>HL</b>	House of Lords
<b>HLRS</b>	Homosexual Law Reform Society
<b>IDAHO</b>	International Day Against Homophobia and Transphobia
<b>IGLHRC</b>	International Gay and Lesbian Human Rights Commission
<b>ILEA</b>	Inner London Education Authority (abolished 1990)
<b>ILGA</b>	International Lesbian, Gay, Bisexual, Trans and Intersex Association
<b>IRA</b>	Irish Republican Army
<b>ISNA</b>	Intersex Society of North America
<b>JCHR</b>	Joint Committee on Human Rights
<b>JCSI</b>	Joint Committee on Statutory Instruments
<b>LAGNA</b>	Lesbian and Gay Newspaper Archive
<b>LCLGR</b>	Labour Campaign for Lesbian and Gay Rights
<b>LEA</b>	Local Education Authority
<b>LGBT</b>	Lesbian, Gay, Bisexual, Trans*
<b>LGCM</b>	Lesbian and Gay Christian Movement
<b>LGSM</b>	Lesbians and Gays Support the Miners (1984-5)
<b>LGTG</b>	London Gay Teenage Group
<b>LLGS</b>	London Lesbian and Gay Switchboard
<b>MEP</b>	Member of the European Parliament
<b>MoD</b>	Ministry of Defence
<b>MP</b>	Member of Parliament
<b>MRC</b>	Medical Research Council
<b>MSM</b>	Men who have Sex with Men
<b>NATO</b>	North Atlantic Treaty Organisation
<b>NCCL</b>	National Council for Civil Liberties (now Liberty)
<b>NGO</b>	Non-Governmental Organisation
<b>NORCAP</b>	National Organisation for Counselling Adoptees and Parents
<b>NSS</b>	National Secular Society
<b>NUM</b>	National Union of Mineworkers
<b>ONS</b>	Office for National Statistics

<b>PHSE</b>	Personal, Health and Social Education
<b>PRG</b>	Parents Rights Group (Haringey mid 1980s)
<b>RCP</b>	Royal College of Psychiatrists
<b>SDLP</b>	Social Democratic and Labour Party (Northern Ireland)
<b>SIB</b>	Special Investigations Branch (of the armed forces)
<b>SNP</b>	Scottish National Party
<b>SI</b>	Statutory Instrument
<b>SDP</b>	Social Democratic Party (1981-1988)
<b>SRE</b>	Sex and Relationship Education
<b>STD</b>	Sexually Transmitted Disease
<b>SWAPO</b>	South West African People's Organisation
<b>TCA</b>	Tottenham Conservative Association
<b>TERFs</b>	Trans Excluding Radical Feminists
<b>THT</b>	Terrence Higgins Trust
<b>TMW</b>	Trans Media Watch
<b>TORCHE</b>	Tory Campaign for Homosexual Equality
<b>TUC</b>	Trades Union Council
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UKIA</b>	United Kingdom Intersex Association
<b>UN</b>	United Nations
<b>USSR</b>	United Soviet Socialist Republics
<b>UUP</b>	Ulster Unionist Party
<b>WHO</b>	World Health Organisation
<b>WMDs</b>	Weapons of Mass Destruction
<b>WWII</b>	World War Two



## Preface

[U]rban subcultures were part of a process of self-definition. Lesbians and gay men created communities or 'ghettos' both for safety and for a sense of identity. Urban life provided the space in which subcultures could flourish and create their own identities, yet the more visible and confident they became, the more vulnerable that made them to surveillance and containment. Ghettos have usually felt comparatively safe within, yet have been easy to attack from without. *Elizabeth Wilson (1991) 'The Sphinx in the City', London: Virago:120*

Today, after a generation of scholarship and dramatic social change we can go much further in grasping that we make our own sexual histories, even if not always in circumstances of our own choosing. No one can say with any confidence what the legacy of this fundamental change in the theory and practice of sexuality will be. But we can be pretty certain that once the spirit of democratization is let loose from the bottle, it will be almost impossible to lock it in again. And that, more than anything else, is likely to determine the future of sexuality. *Jeffrey Weeks (2008) 'Traps We Set Ourselves', Sexualities, 11 (1/2): 32-3*





## Introduction

This study explores manifestations of a cluster of institutionalised beliefs now widely termed homophobia. It analyses the language and arguments used in UK parliamentary debates on legislative proposals affecting lesbians and gay men. The years 1986-2010 saw no fewer than 23 actual legal changes and 27 attempted changes, some of which became law at the second or third attempt. In 1986 the first amendments to decriminalise lesbians and gay men in the armed forces were defeated in the Armed Forces Bill. In 1988 Clause 28, which sought to prohibit the claimed ‘promotion of homosexuality’ by local councils, became Section 28 of the Local Government Act. Yet in 2004 the Civil Partnership Act recognised lesbian and gay partnerships. In 2008 the Human Fertilisation and Embryology Act recognised lesbian and gay parents on a child’s birth certificate where the child of two women was conceived by insemination or the child of two men by a surrogacy arrangement. In 2010 the Equality Act 2006 was revised and anti-discrimination law harmonised. In terms of legislation at least this marks significant social change. It is the nature and extent of this change in terms of homophobic beliefs and their institutional props that is the concern of this study, considering that “laws or institutional arrangements which are formally ‘equal’ in their application to different groups may conceal persistent social inequalities.” (Waites 2005a:168)

What is now known as homophobia has a very long history, most harshly documented in edicts, canons and statutes scattered across 1700 years. In most cases it was sex between men that was outlawed, often with severe punishments. The making of these laws, plus their intermittent periods of enforcement, arose when prevailing rulers felt insecure or threatened, or sought to consolidate their power. Thus the political context of the law-making is an essential consideration.

Historically, enactment of the laws and their periods of enforcement can be seen as examples of political scapegoating that bolstered the socio-political control of ruling powers. Accordingly, each episode revitalised and perpetuated the cluster of beliefs that constitute homophobia.

The term homophobia was coined by a clinical psychologist, George Weinberg, in the late 1960s and popularised through his 1972 book. He observed that some people had a “deep emotional misgiving” about homosexuals which seemed to him to be their problem, “not the homosexual’s” (Weinberg 3.2.1997). The term neatly depathologised ‘the homosexual’ while questioning the mental health of homophobic people by reference to motives and fears located in the person. It thus individualised the problem and obscured the history of its socio-political roots (Adam 1998: 338; Herek 2004: 6-13; Weeks 2011: 82-3). A more socially orientated term, heterosexism, was adopted in the 1980s by lesbian feminists in reference to institutionalised prejudice and discrimination and was positioned alongside sexism and racism (GLC 1986: 5-7; Kitzinger 1987a). It was intended as a political concept, but is now little used. It is still referred to in LGBT social science, especially in discursive psychology (for example Kitzinger 1996: 8-12; Peel 2001; 2004), but its dwindling familiarity has led to it being understood in contrary ways (Rothblum & Bond 1996: ix). Then in the early 1990s, the derogatory term ‘queer’ was reclaimed in a flurry of confrontational activism (Sinfield 1998: 8-15). ‘Heteronormativity’ was coined in queer commentary in reference to the coercive normality of heterosexual privilege (Warner 1993: xxi-xxv; Berlant & Warner 1998: 548) and has since been negatively applied to ‘gay assimilation’, notably in relation to marriage and military service (Warner 1999). Criticisms of the perspectives generally termed ‘queer theory’ focus on its basis in theories removed from actual socio-political conditions (Adam 1998: 394-5; Weeks 2011: 145-6). Criticisms of queer politics focus on its idealisation of ‘transgression’ with no clear agenda for social change and the artificiality of its

adopted polarisation to identity-based rights claims (Seidman 1997: 130-6; Bell & Binnie 2000: 141-6). While prejudice and discrimination are not simply a question of norms, to the extent that heteronormivity points critical attention towards the social impositions of heterosexuality, it is a useful term. However, discussions of the reference and/or appropriacy of homophobia, heterosexism and/or heteronormivity (and related terms), are based on theorised or asserted definitions rather than empirical examinations of how the terms have been used and understood by different groups in real-life contexts. The same can be said for 'queer', and in fact all categorising terms.

Today, 'homophobia' has come into general usage (Hodges 2004: 80) and a more "catch-all idea" of its reference characterises its use (Weeks 2011: 83). It is the most widely used term for social and legal inequalities, oppressive conditions and/or negative behaviours in contemporary life. While a view of homophobia as personalised misgiving is supported by this study, an asocial, apolitical and ahistorical account of it is not. In this study, homophobia is viewed as a socially pervasive and potentially shifting cluster of institutionalised beliefs fomenting misgivings about and hostility towards same-sex sexual relationships and the people who have, or are perceived to have them. Over time, such beliefs have generated enduring taboos, intractable prejudices and oppressive practices, of which persecutory laws are an officially documented form. That these beliefs and the laws pertaining to them were constructed in and have been reproduced via language use, makes language analysis an appropriate means to investigate their more recent manifestations and existing institutional props.

The study is designed to compare the arguments and language used by opposing sides of key debates during two distinct periods (1986-1996 and 2001-2005). Period one includes the third term of the Thatcher Government and the Major Government. The legislative proposals examined in this period are: Clause 28 of the Local Government Bill 1987-8, the first attempt to equalise the age of

consent for gay men in the Criminal Justice and Public Order Bill 1994, and an attempt to repeal the ban on lesbians and gay men in the military in the Armed Forces Bill 1995-6. Period two falls in the second term of the Blair Government. The proposals examined in this period are: an amendment to allow unmarried couples to apply jointly to adopt in the Adoption and Children Bill 2001-2, the Employment Equality (Sexual Orientation) Regulations 2003 which sought to outlaw workplace discrimination, and the Civil Partnership Bill 2004 which proposed legal recognition of lesbian and gay partnerships.

These six legislative episodes are the basis of Chapters 5-10, each of which includes the qualitative analysis of a key debate. Political context is key to the legislative proposals examined in these six chapters. Each was situated at a particular juncture of circumstances and viewpoints which served to constrain or support it and influenced whether or not it became law. The oppositional nature of parliamentary debates, plus politician's attentiveness to media, constituency and public opinion, means they deploy the arguments and terminology deemed most likely to gain support for their cause. However, while they draw on existing public beliefs and values in the sections of society they represent and indirectly address, they also reconstruct and reinforce those same beliefs and values. In offering six fully-contextualised analyses of key debates, the detailed language analyses do not lose sight of the conditions that compelled the proposals or the origins of resistance to them. Importantly, the proposals were rarely a matter of Government initiative; each was prompted by socio-political pressures operative at the time they were made.

The progression of these six chapters shows how lesbian and gay struggles against institutionalised homophobia were at first resisted then incrementally adopted by the state. Through identifying the factors compelling each legislative proposal, plus dominant arguments and language items in each selected debate, the chapters cover the gradual institutional take-up of grass-roots resistance as

well as the factors that facilitated it. Although there is no necessary connection between sexual identity and sexual practice (Weeks 1987: 43), this study views the claiming of positive lesbian and gay identities through the 1970s (Weeks 1995: 98-101) and of minority-group status through the 1980s (Weeks 1995: 110-111) as essential for resisting oppression. This is not to suggest that these umbrella identities were, or are, uniform, fixed, or inclusive, rather that a stable group identity was needed for engagement in political struggle (Vance 1989: 27-8). Predictably, awareness of sexual diversity is virtually absent from the debates.

The final analysis in Chapter 11 is more quantitative and is based on a corpus analysis of all key debates in each period. The purpose of this is to gain an overview of collective similarities and differences: first, between speakers who supported lesbians and gay men and those who did not; second, between each legislative period. Differences emerging from opposing sides of the debates, and between each period, thus enable conclusions to be drawn about the nature and extent of shifts and continuities in homophobic beliefs and their institutional props. These are then related to their respective historical contexts and to other sexuality research findings. Ultimately, the study is concerned with the residual nature of a prejudice with a very long history and how, once embedded in the social consciousness, it can be fought for or against, lie dormant or be revived, or mutate in multiple directions according to socio-political forces in play at a given time. As a fully contextualised study of language used and arguments deployed for and against discrimination in law on the basis of sexuality, it exemplifies the socio-political nature of such ebbs and flows.

The study's approach to language is based on the social constructionist ideas of Valentin Voloshinov (2012 [1926]; 2012 [1927]; 1986 [1929]), refined by Mikhail Bakhtin (1981 [1935]; 1986 [1952-3]), in which language appropriation and use is seen as inherently ideological in that it necessarily involves views and values constructed by participants in situated social contexts. Their ideas are

put on a more empirical footing by reference to Michael Hoey's (2005) concept of lexical priming, and are linked to techniques in Corpus Linguistics and analytical categories in Critical Discourse Analysis (CDA). The debates are analysed using a mix of corpus techniques suggested by Paul Baker (2004a, 2004b; 2005; 2006; 2008; 2012), plus CDA categories selected from the socio-cognitive approach of Teun van Dijk (2001; 2003; 2004; 2006a; 2006b; 2006c; 2008) and the discourse historical approach of Ruth Wodak (1999; 2003; 2006a; 2006b; 2007; 2008a; 2008b). All supporting data are supplied on the appendices CD.

'Discourse' has a wide range of uses in a wide range of disciplines (Cameron 2001: 7-17; Wetherell, Taylor & Yates 2001a: 1-7; Fairclough 2003: 1-4; Jaworski & Coupland 2006: 1-11). Thus discourse analysis can take many forms. In this study, discourse applies to situated examples of language used in real-life contexts. It does not extend to definitions found in theoretical disciplines which include other social practices, rules and regulations, or institutional forms (such as in Foucault 1972: 47-9 or Laclau & Mouffe 2001: 105-7) and where analysis is not focused on the features and associations of language in situated examples of its use. This case study of the legislative changes is a piece of empirical social research using language-based social theories and methods in which the relevant parliamentary debates provide the data for a CDA analysis of the language used. Inevitably, the social, political and historical contexts of the data, as well as issues emerging from the analyses, link to work in other socially orientated disciplines, but the analyses are data led.

Chapter 1 reviews laws relating to same-sex sex in terms of struggles for political control and social change. It approaches the laws as discrete within their contexts of enactment, while acknowledging that aspects of their rationale recurred within the shifts of socio-political forces across centuries. The sporadic peaks of their enforcement, constitute snapshots of belief and political unrest at disparate points in time.

Chapter 2 outlines the contemporary legislative process and the range of influences on MPs and Lords, especially that of the press. A review of protocols applying to parliamentary debates illustrates their ritualised nature and how the rules are subverted to score points, while consideration of Hansard conventions evaluates its appropriacy as a data source. The final section explains how the study's data was selected.

Chapter 3 outlines three key aspects of Voloshinov's and Bakhtin's ideas illustrated by contemporary examples related to the study's concerns. The first relates the evaluative aspects of language use to struggle between groups in society and social change. The second links people's appropriation (and non-appropriation) of language items to the values they are perceived to carry. The third situates the construction of meaning within interactive language use.

Chapter 4 outlines the analytical tools selected from Baker, van Dijk and Wodak with links to the ideas of Voloshinov and Bakhtin and examples related to the study's concerns. The tools enable identification of the lexical items typically used by each side of a debate along with their associations, plus strategies to unravel ideological stances, presupposed knowledge and historical links. The final section sets out the study's analytical procedures.

Chapter 5 investigates the context of Clause 28 and how homophobia was mobilised to serve other political agendas in the Local Government Bill 1987-8. It shows that where a residual prejudice exists in the consciousness of a society it can be deployed, in this case by sections of the press and some politicians, to weaken political opposition. The selected debate thus highlights the aspects of homophobic belief that were most productive in achieving these ends.

Chapter 6 shows how the first attempt to equalise the age of consent for gay men in the Criminal Justice and Public Order Bill 1994 was prompted by the prospect of a case being referred to the European Court of Human Rights. The selected debate recounts the emergence of arguments deemed persuasive for



supporting equalisation against speakers who maintained that heterosexuality and homosexuality were not and could not be equal in law or life.

Chapter 7 illustrates some complex motivations behind MPs positions on a proposal to repeal the ban on lesbians and gay men in the military in the Armed Forces Bill 1995-6. It exposes distinctions between personal principles and party policy among Conservative MPs and between pragmatic considerations and party policy among Labour MPs. The selected debate shows how various speakers signalled personal disagreement with their adopted position.

Chapter 8 documents the carefully negotiated passage of the Adoption and Children Bill 2001-2 amid the requirements of the Human Rights Act and fierce Conservative resistance in the Lords to joint adoption by unmarried couples. The selected debate reveals serial concessions to heterosexual parenting and emotive arguments on children's needs in order to pre-empt the underlying opposition to adoption by lesbian and gay couples.

Chapter 9 illustrates an unusual three-way division of argument. The Government's concessions to organised religion in the Employment Equality (Sexual Orientation) Regulations were challenged in the Lords as discriminatory. The ensuing debate pitched cross-party peers, who wanted the Regulations withdrawn and amended, against Labour Ministers and Conservative Christians who wanted the Regulations approved, but for completely different reasons.

Chapter 10 documents the stormy passage of the Civil Partnership Bill. It was started on the Government's behalf in the Lords, where it became subject to a succession of wrecking amendments. It was also contested in the Commons but, because of the Conservatives' free vote, by a minority of MPs. The selected debate highlights the way marriage became a metaphor for the protection of heterosexuality and a euphemistic front for homophobic belief.

Chapter 11 analyses four basic corpora built from all key debates in each period (PLG1, ALG1, PLG2, ALG2). This enables four dimensions of comparison

(between PLG1 and ALG1; PLG2 and ALG2; PLG1+2 and ALG1+2; LG1 and LG2) which offer an overview of each legislative period and of speakers who were or were not supportive of lesbians and gay men. The analyses find clear divisions between each side and each period as well as features that remained completely taken for granted by both sides in both periods.

The final Conclusion contemplates more widely the ebbs and flows of homophobic beliefs in relation to legislative change. While historically (and more recently in nine countries) homophobic beliefs have been enacted in laws by ruling powers when politically expedient, this study shows that such beliefs can also become a liability for governments where resistance is strong and socio-political contexts compelling. This does not mean homophobic beliefs disappear, only that they become minoritised or dormant. They can be revived at such times they are perceived to be useful and resistance weak. As Angela Eagle MP said of the reforms (23.2.2011) “We must fight to keep them”.

# Chapter 1: History

## The Legislative Heritage

In his wide-ranging study of the nature of prejudice, Allport (1979) [1954] lists forms of officially practised discrimination according to the United Nations. At the top is “unequal recognition before the law” (*ibid*: 52). He argues prejudice is increased by discriminatory laws and decreased by equal-status laws. Thus the repeal of discriminatory laws is seen as a starting point, rather than a result, of social change (*ibid*: 469-73). Yet, such repeals depend not only on equal status being upheld as a social value, but also its application to the people affected by the laws in question. Arguments for equality before the law acquired increasing importance in the debates examined in this study, but they are a very recent phenomenon in this legislative history. Laws may be enacted and repealed for many reasons, depending on the lawmakers’ objectives and what they believe to be true. In the case of laws against same-sex sex, mostly against sex between men, the socio-political objectives behind their enactment and intermittent periods of enforcement vary considerably. The key question is why it was deemed necessary to outlaw consensual sexual activities at all. Different historical contexts offer different answers. What they have in common is a backdrop of struggles for political control.

This chapter reviews the rationale of laws against same-sex sex pertaining to what is now the UK. It approaches the laws as discrete within their contexts of enactment and use while acknowledging that aspects of their rationale reoccur within the shifts of socio-political forces across the centuries. The sporadic peaks of their enforcement constitute snapshots of belief amidst political unrest at disparate points in time. This is followed by an outline of the nineteenth century

pathologisation of same-sex sexual attraction and the struggles for social control and legal reform prior to the period of this study. As Weeks observes (1989b: 203-4) “this historical present is the product of many histories, some of which are very ancient, some very recent”.

### **Early Laws**

Laws that clearly refer to sex between men first occur in the fourth century under the Christianised Roman Empire. They are relevant because Roman Law was a major influence on “western European systems of civil and criminal jurisprudence [as well as] canon law” (Bailey 1955: 64). The first edict was decreed in 342 by co-Emperors Constantius II and Constans:

When a man ‘marries’ in the manner of a ‘woman’ [...] what does he wish, when sex has lost its significance; when the crime is one which it is not profitable to know; when Venus is changed into another form; when love is sought and not found? We order the statutes to arise, the laws to be armed with an avenging sword, that those infamous persons who are now, or who hereafter may be, guilty may be subjected to exquisite punishment. (Constantius II and Constans 16 December 342, translation Pharr 1952: 231-2, quoted more fully in Bailey 1955: 70)

Then in 390 the co-Emperors Valentinian II, Theodosius I and Arcadius decreed:

All persons who have the shameful custom of condemning a man’s body, acting the part of a woman’s to the sufferance of an alien sex (for they appear not to be different from women), shall expiate a crime of this kind in avenging flames in the sight of the people. (Valentinian II, Theodosias I and Arcadius 6 August 390, translation Pharr 1952: 232, quoted in Bailey 1955: 71-2)

Both edicts concern male-gender boundaries. The former was decreed after a power struggle between Constantius II and Constans; the latter after an uprising in Thessalonica (Fone 2000: 112-3). While the former threatens “exquisite punishment”, the latter threatens “avenging flames in the sight of the people” as in the story of Sodom. According to Bailey (*ibid*: 73), there is no evidence that either edict was “rigidly enforced”.

The story of Sodom is also invoked in two Novellae decreed by the Emperor Justinian. Novella 77 in 538 again applies to men:

... since certain men, seized by diabolical incitement, practise among themselves the most disgraceful lusts, and act contrary to nature: we enjoin them to take to heart the fear of God and the judgement to come, and to abstain from suchlike diabolical and unlawful lusts, so that they may not be visited by the just wrath of God on account of these impious acts, with the results that cities perish with all their inhabitants. For we are taught by the Holy Scriptures that because of like impious conduct cities have indeed perished, together with the men in them. [...]

For because of such crimes there are famines, earthquakes, and pestilences; wherefore we admonish men to abstain from the aforesaid unlawful acts, that they may not lose their souls. But if, after this our admonition, any are found persisting in such offences, first, they render themselves unworthy of the mercy of God, and then they are subjected to the punishment enjoined by the law. [...]

(Justinian, extract from Novella 77 (538), quoted more fully in Bailey 1955: 73-4, author's translation)

It goes on to warn of "extreme punishments, so that city and state may not come to harm by reason of such wicked deeds". Harm did follow: the Eastern Empire was invaded by Persia in 540, an epidemic of Bubonic plague began in 541, and major cities were destroyed by earthquakes in 543 (Fone 2000: 116). Novella 141 in 544 takes a conciliatory tone towards what was believed to be God's anger:

Though we stand always in need of the kindness and goodness of God, yet is this specially the case at this time, when in various ways we have provoked him to anger on account of the multitude of our sins. [...] We speak of the defilement of males which some men sacrilegiously and impiously dare to attempt, perpetrating vile acts with other men. For, instructed by the Holy Scriptures we know that God brought a just judgement upon those who lived in Sodom, on account of this very madness of intercourse, so that to this very day that land burns with inextinguishable fire. By this God teaches us, in order that by means of legislation we may avert such an untoward fate. [...] Wherefore it behoves all who desire to fear God to abstain from conduct so base and criminal that we do not find it committed even by brute beasts. Let those who have not taken part in such doings continue to refrain in the future. But as for those who have been consumed by this kind of disease, let them not only cease to sin in the future, but let them also duly do penance, and fall down before God and renounce their plague [in confession] to the blessed Patriarch [...] So may God the merciful, in the abundance of his pity, deem us worthy of his blessing, that we may all give thanks to him for the salvation of the penitents, whom we have now bidden [...] to [reconcile] themselves [with] God who is justly angry with us. [...]

(Justinian, extract from Novella 141, issued during lent 544, quoted more fully in Bailey 1955: 74-5, author's translation)

As with the earlier edicts, there is no reliable evidence of the extent to which the Novellae were enforced (Bailey *ibid*: 78). The concern with protecting the Empire from ruin is framed by the Sodom story as then understood. However, Bailey argues (*ibid*: 9-38), that this understanding rests on Greek, Latin and English translations of the Hebrew verb ‘to know’, ‘yadha’, which does not support an interpretation of what became known as sodomy. Nevertheless, the edicts’ themes (male gender boundaries, the story of Sodom, acting against nature, the punishment of burning, fear of God’s wrath, destructive forces, madness, brute beasts, disease and plague) all reoccur at later points in time.

Between the seventh and eleventh centuries, laws were established locally by habit and custom in countries where the Roman Church held sway. A range of proscribed sexual acts were listed in penitentials. These handbooks of sins and recommended penances were compiled mostly by bishops for priests hearing confession. Surviving penitentials vary in both the sins and penances listed (Bailey *ibid*: 100). Penances involved fasting, prayer, abstinence, or exclusion from the rites of the Church for a given number of years; they varied according to sexual act, age, rank, culpability, and whether the individual was lay or clergy (Fone 2000: 125). Some penitentials were explicit and listed specific sexual acts. According to Bailey (*ibid*: 154), they display an awareness of “the complexity of sexual behaviour” which was absent from later civil laws. This may be so, but controlling sexual behaviour was rarely the political purpose behind later canon or civil laws as this chapter will show.

Around the turn of the first millennium, the Roman Church began to consolidate its power by collating centuries of doctrine which became the basis of stricter canon laws. Power rivalries ensued. Kings claimed the right to appoint clergy; the Church sought to control monarchs by increasing its moral authority (Fone *ibid*: 132-4). In the 12th and 13th centuries, various Church Councils ruled on sodomy. In 1102, the Church Council of London decreed:

In this council, those who commit the shameful sin of sodomy, and especially those who of their own free will take pleasure in doing so, were condemned by a weighty anathema, until by penitence and confession they should show themselves worthy of absolution. As for anyone who is found guilty of this crime, it was resolved that if he were an ecclesiastic he should not be promoted to any higher rank, and should be deposed from his present order; while if he were a layman he should be deprived of his legal status and dignity in the whole realm of England. And let none but the bishop presume to give absolution for this offence, save in the case of those who are members of the regular clergy.

(Concil Londin 28, quoted in Bailey 1955:124, author's translation, latin text from Mansi 1901 [1760s]: vol.20, col.1152)

In penetentials, definitions of sodomy generally included all forms of adulterous and non-procreative sex between men and/or women, but this edict applies to men and included the clergy. Its claim to moral authority also indirectly extended to the Royal Court. Decreed early in the reign of Henry I (1100-1135) it was an attempt to discredit his predecessor, William (Rufus) II, whose preference for sex with men was well known (Bailey *ibid*: 123-4). A second edict ordered the weekly publication of excommunications for sodomy in every church in the land, but this was modified by the Archbishop of Canterbury who advised his archdeacon:

It must be remembered that this sin has been publicly committed to such an extent that it scarcely makes anyone blush, and that many have fallen into it in ignorance of its gravity. As for those who defile themselves with this sin after learning of the excommunication, they ought to be dealt with more severely by way of penance.

(Anselm, Archbishop of Canterbury 1093-1109, Epistle iii 62, quoted more fully in Bailey 1955: 125, author's translation, latin text from Migne 1850s: vol.159, col.95-6)

In the later 1100s and early 1200s, the Lateran Councils formalised canon law across the whole Roman Church. A purge of heretics followed for which the punishment of burning was revived but, as execution was the province of civil rulers, it was subject to political will and expedience. Charges of heresy and sodomy began to be used in tandem (Bullough 1974: 190). Sodomy became a catch-all category linked not only to non-procreative sex, but also to heresy, disease, contagion, foreigners and Jews. A treatise on English common law published at the court of Edward I in 1290 states:

Those who have dealings with Jews or Jewesses, those who commit bestiality, and sodomists, are to be buried alive after legal proof that they were taken in the act, and public conviction.

(Fleta 1290 xxxviii.3, quoted in Bailey 1955: 145, author's translation)

Edward I expelled Jews from England the same year, having made usury illegal in 1275 under pressure from the Church. They were allowed to take only what they could carry, the rest was confiscated by the Crown. The expulsion enabled the Crown to avoid paying its debts (Beller 2007: 14) and was made possible by the arrival of Italian and French financiers (Ackroyd 2000: 706). According to Bailey (*ibid*: 95), the reference to bestiality is traceable to a canon passed by the third Lateran Council (1179) which was misread for 400 years. By the time it was agreed that the canon referred to sodomy, the association was well established. Another legal treatise published in 1300 associates sodomy with sorcery:

Let enquiry also be made of those who feloniously in time of peace have burnt other's corn or houses, and those who are attained thereof shall be burnt, so that they might be punished in like manner as they have offended. The same sentence shall be passed upon sorcerers, sorceresses, renegades, sodomists, and heretics publicly convicted.

(Britton i.10, 1300, quoted in Bailey 1955: 146, translation Nichols 1865: 41-2)

Bailey (*ibid*:147) argues that the treatises represented the official view, but were not acted on. However, the associations persisted. In 1376 the Good Parliament petitioned Edward III to banish foreign artisans and traders, particularly Jews, Saracens and Lombard brokers because they were usurers and had introduced "the too horrible vice which is not to be named", which the Parliament thought would destroy the realm (Hyde 1970: 36).

The first civil law against same-sex sex was one of a score of Acts passed at the start of the Reformation. The Clergy Act 1529 removed the legal privileges of the clergy. The Submission of the Clergy Act 1532 barred the clergy from law-making without the King's consent. The Conditional Restraint of Annates Act 1532 ceased the paying of taxes to Rome. The Ecclesiastical Appeals Act 1533



forbade appeals to the Pope and made the King the final legal authority. Henry VIII was excommunicated in July 1533. The same year, ecclesiastical jurisdiction was moved to civil courts in both the Heresy Act and the Buggery Act:

Forasmuch as there is not yet sufficient and condign punishment appointed and limited by the due course of the Laws of this Realm, for the detestable and abominable Vice of Buggery committed with mankind or beast: It may therefore please the King's Highness, with the assent of his Lords spiritual and temporal, and the Commons of this present Parliament assembled, that it may be enacted by the authority of the same, That the same offence be from henceforth adjudged Felony, and such order and form of process therein to be used against the offenders, as in cases of Felony at the Common-law. And that the offenders being hereof convict by Verdict, Confession, or Outlawry, shall suffer such pains of death, and losses, and penalties of their goods, chattels, debts, lands, tenements and hereditaments, as Felons be accustomed to doe according to the Common-laws of this Realm. And that no person offending in any such offence, shall be admitted to his clergy, And that Justices of Peace shall have power and authority within the limits of their Commissions and Jurisdictions, to hear and determine the said offence, as they do use to doe in cases of other Felonies. This Act to endure till the last day of the next Parliament. (25 Hen.VIII c.6, quoted in Bailey 1955: 147-8)

The Act expired and was renewed three times which suggests political expedience rather than moral certitude. This is supported by its Reformation context and use against the Roman Church. The Act of Supremacy 1534 made the King head of the Anglican Church. The Treasons Act 1534 made word or deed against the King, Queen or his heirs punishable by death. The Dissolution of the Lesser Monasteries Act 1536 took all institutions with tithes and rents under £200 a year into the King's possession; it began:

Forasmuch as manifest sin, vicious, carnal and abominable living is daily used and committed among little and small abbeys, priories, and other religious houses of monks, canons, and nuns ... (27 Hen.VIII c.28, quoted fully in Adams & Stephens 1901: 243)

That the Buggery Act was used to support the seizing of church property is verified by two memoires Henry wrote to his envoy in Scotland in 1540 and 1543, which refer to increasing his revenue by establishing 'abominations' and 'beastly living' among the clergy (Knowles 1959: 204). The extent to which the Act was

intended to apply to the wider population is thus debatable. The Act was among those repealed by Edward VI in 1547. It was re-enacted with amendments in 1548, then repealed again by Queen Mary in 1553 who returned it to church jurisdiction. It was re-enacted in its original form and given permanent force by Elizabeth I in 1563 after a contested parliamentary passage (Elton 1989: 110-1). Its retrieval from church jurisdiction was motivated by the early Elizabethan Parliament's concern to protect the state from Catholic dissent (*ibid*: 190).

Henry's choice of the term 'buggery' is significant. Variants of buggery (*bugerie, bulgari, bugari, bougrerie, bogerie, bougerie, buggerie*) and bugger(s) (*bougre(s), bugero(s), bulgaro(s), bulgar(s), boulgre(s)*) became applied to religious sects of the twelfth and thirteenth centuries who had been branded heretics by the Pope. The term developed in reference to a section of the Manichean diaspora which settled in Bulgaria during the tenth century and became known as the Bogomils (Bailey *ibid*: 137). Their drift westwards ended in the 1208 massacre of the Albigensians in southern France who were accused of heresy and sodomy. Bailey (*ibid*: 141) cites evidence that 'bugeros' was also a common term for usurers in the 1200s, but claims that by 1533 buggery had lost its association with heresy. This is not supported by the definition of Edward Coke (1552-1634), Lord Chief Justice of England:

... crimen laesae majestatis, a sin horrible, committed against the King; and this is either against the King Celestial or Terrestrial in three manners: by heresy, by buggery, by sodomy.

(Edward Coke, Institutes of the Lawes of England, Part 3, completed 1628, published 1644: 58, quoted in Bray 1995: 20)

Coke warned that a valid indictment for buggery must describe it as "contra ordinationem Creatoris et naturae ordinem" (Bray 1995: 26). According to Bray (28), the references in the margin show the story of Sodom informs the section. However, as a crime against the terrestrial King, the definition conflates sodomy, heresy and buggery with treason. This association too reoccurs at later times.

### **Theory and Practice**

Legal theory is not legal practice. Few records of prosecutions for buggery exist before 1699. Bray (1995: 71-4) reports searches of the Essex Assizes 1560-1680 and Quarter Sessions 1556-1680 which produced one case in 1669. The Somerset Quarter Sessions 1601-1660 produced two cases. The calendar of Home Counties Assizes 1559-1625 listed four cases. The prosecutions fell into three categories: those occurring at times of social upheaval, such as the Civil War, when scapegoats were needed; those initiated by malicious accusation; those involving a breach of the peace or social order. It was these factors that brought the cases to court. Bray (*ibid*: 75-6) argues that the lack of prosecutions was not tolerance, but a conceptual gap between known sexual habits and the doctrinal horrors of sodomy. Other factors may be relevant: Coke also specified that conviction must rest on proof of penetration and emission which made cases difficult to prove (Hitchcock 1997: 60). Nevertheless, the law's existence enabled prosecutions to be pursued with vigour when political circumstances changed.

Early in the reign of William and Mary (1689-1702), the newly founded Society for the Reformation of Manners began a puritan crusade against sabbath breakers, drunkenness and debauchery (Bray 1995: 82). Until 1738, it ran networks of informers and funded prosecutions with the support of Church and Crown. Crompton (1998: 60-1) defines the period as "triumphal protestantism". Mass arrests for sodomy were recorded in 1699, 1707, and 1725-7 (Bray *ibid*: 89-97). Many of the accused were held in Newgate prison. A few men were hung at Tyburn. Most were convicted of attempted sodomy for which the pillory, a fine and prison were imposed, although a spell in the pillory could result in serious injury or death (Hitchcock 1997: 73). Further mass arrests resulted from raids on meeting places in 1763-5, 1776, 1798 and 1810 (Trumbach 1989b: 409).

Trial records from the early 1700s provide evidence of a subculture, in London at least, with its own meeting places and rituals, in which cross-dressing and female names were common; they also offered a useful disguise (Trumbach 1991a: 138). Cross-dressing also peaked among women in the 1700s, though not within a subculture and not always for sexual reasons (Dekker & van de Pol 1989). Known prosecutions (1746 and 1777) where a husband was found to be a woman, involved deception and/or theft. By contrast, in 1766, James How/Mary East who had run a pub with her wife for 36 years, took her blackmailer to court dressed as a woman and won (Norton 2009a). All surviving accounts of the case treat her sympathetically (Vicinus 1989: 181).

Trumbach (1989a: 150-8) argues that the 18th century saw a growing concern with gender divisions, thus sodomy became associated with effeminacy in the public mind and with lack of sexual interest in women (*ibid*: 1991a: 136). Whatever the public view, trial records show the arrested men came from all occupations, plus 35% were married, many with children (*ibid*: 1977: 15/18). The English trials, and those in Holland 1730-1810, attracted publicity. In a single two-year, mid-century period, “England published over two thousand newspaper reports of trials, arrests, and speculations about sodomites” (Fone 2000: 249). The 1700s also saw a proliferation of political pamphlets, such as ‘Satan’s Harvest Home’ which claimed sodomy was a “dammed fashion imported from Italy” and recommended:

Instead of the Pillory, I would have the *Stake* be punishment of those who in Contradiction to the *Laws of God and Man*, to the Order and Course of Nature, and to the most simple principles of *Reason*, preposterously burn for each other, and *leave the Fair the charming Sex neglected*.

(anon. 1749, quoted more fully in Crompton 1998: 55-6).

The references to burning (*the Stake*), the *Laws of God* and unnaturalness occur in the Roman edicts, but those to ‘reason’ and ‘women’ were an 18th century phenomenon. Sodomy was similarly cited in a legal treatise:

If any crime deserve to be punished in a more exemplary manner this does. Other crimes are prejudicial to society; but this strikes at the being thereof: it being seldom known that a person who has been guilty of abusing his generative faculty so unnaturally has afterwards a proper regard for women.

(Matthew Bacon 1832 [1736] 'New Abridgement of Law', quoted more fully in Crompton 1998: 50-1)

By contrast, William Blackstone gave the law a hefty Protestant heritage:

... a crime not fit to be named; "peccatum illud horribile, inter christianos non nominandum." [ ... ] THIS the voice of nature and of reason, and the express law of God, determine to be capital. Of which we have a signal instance, long before the Jewish dispensation, by the destruction of two cities by fire from heaven: so that this is an universal, not merely a provincial, precept. And our ancient law in some degree imitated this punishment, by commanding such miscreants to be burnt to death ; though Fleta says they should be buried alive: either of which punishments was indifferently used for this crime among the ancient Goths. But now the general punishment of all felonies is the same, namely, by hanging: and this offence (being in the times of popery only subject to ecclesiastical censures) was made single felony by the statute 25 Hen. VIII. c. 6. and felony without benefit of clergy by statute 5 Eliz. c.17.

(William Blackstone, 1769, 'Commentaries on the Laws of England' vol.4, ch.15: 216)

The addition of 'reason' acts as Enlightenment window-dressing on an otherwise archly establishment view remote from many realities of eighteenth century life. Land enclosures and industrialisation resulted in escalating urbanisation, waged labour and urban poverty, alongside a succession of trade wars.

During "the eighteenth and nineteenth centuries the numbers of buggery trials were directly related to whether or not Britain was at war or in a state of social turmoil" (Weeks 1977: 13). The War of Spanish Succession (1702-13), the Seven Years War (1756-63) and the Napoleonic Wars (1802-15) all saw increases in Navy court martials. Buggery was treated as seriously as mutiny or murder; those convicted were more likely to be executed and less likely to be pardoned (Gilbert 1976: 79-84). Between the Seven Years War and Napoleonic Wars there were no court martials for buggery and those for other 'morals' crimes fell from 83.3% to 16.7% (*ibid*: 86). Civil convictions followed a similar pattern. In the later 18th century, hangings for sodomy in Middlesex (at Tyburn and later Newgate)

averaged two per decade. From 1803 to 1814 they averaged two per year when hangings for other crimes were falling (Gilbert 1977: 102-3). Prosecutions peaked in 1810, most notoriously in a raid of the White Lion pub in Vere Street, London by police posing as 'sodomites'. Thirty men were arrested and taken to prison for examination. Most were released but seven went to trial. Six were convicted of attempted sodomy and sentenced to the pillory and prison. (See Crompton 1998: 164-6 for their harrowing time in the pillory quoted from an 1810 pamphlet). The pillory was finally abolished in 1837.

Why 1810? The Napoleonic Wars and the Society for the Suppression of Vice (founded 1802) were factors. Gilbert argues (1977:112) that in 1810 "the fear of rebellion and disorder was acute". Amidst economic crisis, food shortages and the worst depression of the wars, there was a paranoid government whose sending of a parliamentary reformer, Francis Burdett, to the Tower had triggered riots. In addition to the shortages caused by naval blockades, Crompton (1998: 158-160) cites the constitutional crisis caused by the 'madness' of King George III and the Prince of Wales' Regency, plus a reactionary government still nervous about the French Revolution. He suggests (*ibid*) "the government no doubt found the hangings and pilloryings of men belonging to an unpopular minority a safe diversion for the rough energies of London's impoverished mobs". The end of the Napoleonic Wars in 1815 saw the start of the 'Imperial Century' during which the British empire reached the peak of its dominance. However, in contrast to the end of previous wars, the rate of civilian hangings for buggery did not fall. A Commons Report in 1819 records 28 hangings 1806-1818; Home Office statistics in 1837 list 33 hangings 1819-1836 (Crompton *ibid*: 16). These were the last recorded hangings for buggery.

The Offences Against the Person Act 1828 consolidated all laws on crimes classed as against the person into a single Act. The Buggery Act was repealed, but replaced by Section XV, while Section XVIII relaxed the required proof:

XV And be it enacted, That every Person convicted of the abominable Crime of Buggery, committed with either Mankind or any animal, shall suffer Death as a Felon.

XVIII ... for remedy thereof be it enacted, That it shall not be necessary, in any of those cases, to prove actual Emission of Seed in order to constitute carnal Knowledge, but that the carnal Knowledge shall be deemed complete upon Proof of Penetration only.

(Offences Against the Person Act 1828, Statute Book 9 Geo.IV c.31)

The Act constituted a symbolic shift. Buggery, cited as “inter christiano non nominandum” (HC 5.5.1828 c.354), had become a violent offence. A law originally enacted to gain Royal control over the Roman Church and enrich the Crown, had become an imposition of imperial moral order.

This imperial moral order was extended to the colonies. India was taken under direct British rule after the 1857 mutiny. In 1860 the Indian Penal Code formalised British law under the Raj. Section 377 criminalised sexual activity ‘against the order of nature’ with the punishment of life imprisonment (its 2009 repeal in Delhi was reversed in 2013). The Code was later extended to all British colonies. Struggles for the decriminalisation of same-sex sex continue in 42/54 Commonwealth countries (Lennox & Waites 2013: 1), 43 with the Indian reversal.

The Indian Penal Code came into force in 1862, a year after the Offences Against the Person Act 1861 had repealed hanging for buggery in England, Wales and Ireland (but not Scotland until 1889). Section 63 also formalised the offence of attempted buggery:

#### Unnatural Offences

61. Whosoever shall be convicted of the abominable Crime of Buggery, committed either with Mankind or with any Animal, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Ten Years.

62. Whosoever shall attempt to commit the said abominable Crime, or shall be guilty of any Assault with Intent to commit the same, or of any indecent Assault upon any Male person, shall be guilty of a misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

63. Whenever, upon the Trial for any Offence punishable under this Act, it may be necessary to prove carnal Knowledge, it shall not be necessary to prove the actual Emission of Seed in order to constitute a carnal Knowledge, but the carnal Knowledge shall be deemed complete upon Proof of Penetration only.  
(Offences Against the Person Act 1861, Statute Book 24 & 25 Vict.c.100)

The 1861 Act was a major reform of many capital offences against the person. Though buggery remained in this category, Sections 61-3 appear to have passed through Parliament without a single, even euphemistic, reference to it.

### **Science, Laws and Society**

The 'Imperial Century' saw a rapid increase in the use of Scientific Method and its unchecked extension to people and societies in which racism played a central role (Hobsbawm 1977: 305-6). The positivism of early social science constructed categories of racial types resulting in hierarchical objectification. Additional distinctions between 'normal' and 'pathological' led to the labelling of whole social groups in which values were camouflaged as facts (Smith 1998: 86-91). The Victorian working class were also seen as a 'race' apart and "concepts of racial abnormality were superimposed on ideas of sexual and social deviance" (Rattansi 2007: 46). Categories for individuals having same-sex sexual attraction were first suggested by those seeking changes in the law and social attitudes, but these were soon overtaken by the fast expanding medical sciences.

The first references to sodomy as a form of madness were in the 1830s. James Prichard, a physician, ethnologist, psychiatrist and member of the Royal Society, proposed the idea of moral insanity in 1835 which he later related to criminal law. In 1838, Alexander Morrison, a consultant at the Bedlam Hospital in London, found it a consolation to know that sodomy could be a consequence of insanity and stressed that juries should ensure the accused was in possession of his reason (Gilbert 1976: 85). There was no research into sexual habits in



Britain; the 1850s work of J. L. Casper, a German medico-legal expert, and Auguste Tardieu, a French forensic scientist, was little known, though Tardieu's work was referred to in an 1870 London court case (Weeks 1991a: 199). It was Casper who made a distinction "between 'innate' and 'acquired' characteristics which [became] the poles of the debate for generations" (Weeks 1977: 26).

Tentative resistance began in the 1860s. In 1862, Karl Heinrich Ulrichs, a German lawyer, began writing pamphlets and books advocating rights for a 'third sex' that was not criminal or insane, but the result of an embryonic development in which the genitals did not match the sex drive in the brain (Weeks 1977: 26-7). He used the term 'urning'. The term 'homosexual' was first used in 1868 by Karoly Maria Kertbeny, a Hungarian journalist, in a letter to Ulrichs, and again in an 1869 pamphlet advocating the abolition of anti-sodomy laws in Prussia. Reform was not within the developing medical view. In 1870, Carl Westphal, a German neurologist and psychiatrist, published 'Contrary Sexual Feeling'. He saw this as a congenital reversal of sexual feeling which caused moral insanity (Weeks 1977: 27). According to Foucault (1987: 43), Westphal's portrayal was the birth of the medical category of homosexuality, it turned "the practice of sodomy [into] a kind of interior androgyny, a hermaphroditism of the soul".

The Victorian Parliament had no awareness of such ideas. It was under increasing pressure from purity campaigners: a puritanical alliance of the Society for the Suppression of Vice, the National Vigilance Association and feminists. According to Hyam (1990: 62-71) the ideology of women's purity and virtue was upheld by the availability of prostitutes, who were then blamed for the spread of venereal disease. After a four year delay, the Criminal Law Amendment Bill 1885 [HL] set out to limit child and female prostitution by raising the age of consent for girls from thirteen to sixteen and closing brothels. Towards the end of its passage through the Commons, Henry Labouchere introduced an amendment on "any act of gross indecency with another male person" (HC 6.8.1885 c.1397). The

brief exchange before it was accepted increased the term of imprisonment from one year to two. It became Section 11 of the Act:

Outrages on decency

11. Any male person who, in public or private, commits, or is a party to the commission of, or procures, or attempts to procure the commission by any male person of, any act of gross indecency shall be guilty of a misdemeanour, and being convicted shall be liable at the discretion of the Court to be imprisoned for any term not exceeding two years, with or without hard labour.

(The Criminal Law Amendment Act 1885, Statute Book 48 & 49 Vict. c.69)

The Section criminalised all sexual acts between men. Weeks (1991a: 200) argues, it largely shaped the underworld in which sex between men took place. The Act also resulted in “a series of highly publicized court cases” (Weeks 2000: 25), not least those of the Cleveland Street Brothel (1889) and Oscar Wilde (1895). In these and later trials, court officials were especially concerned about the mingling of classes that sex between men engendered (Weeks 1991a: 205). Reports in the Times refer to “foul crimes”, “unspeakable scandals”, “a disgrace to civilisation” (27.11.1889: 7), plus “an indescribably loathsome scandal”, and “a disgusting crime” (25.5.1895: 4). The popular press dubbed Wilde “High Priest of the Decadents”, fostering a stereotype of decadence, corruption and effeminacy (Rowbotham 2008: 193). Effeminacy especially offended the developing Victorian cult of manliness which was becoming a powerful middle-class moral code (Hyam 1990: 72-3). According to Weeks (1977: 161), the trials also sharpened public perceptions of “normal and deviant”, “respectable and outlaw”. The legislative linking of prostitution with sex between men lasted until 1957.

The efforts of reformers were well below the official radar. John Addington Symonds, a poet and literary critic, was the first known English writer to defend sex between men in a privately circulated essay ‘A Problem in Greek Ethics’ (1883). He used ancient Greece as an example to argue that homosexuality could be socially acceptable (Weeks 1977: 52). Social acceptability was remote; the fast

expanding medical sciences were busy creating an array of clinical categories. Richard von Krafft-Ebing, an Austrian psychiatrist, used the terms ‘homosexual’ and ‘heterosexual’ in his ‘Psychopathia Sexualis’, a medico-forensic study of the abnormal (1886; English edition 1892). While ‘heterosexual’ medically affirmed ‘normality’, it was through his work that ‘homosexual’ became the official clinical term. The book included over 200 case studies and went through many editions, two in English, which illustrate conceptual shifts. Homosexuality was initially defined as a pathological state, but this was modified in the twelfth edition to a largely congenital condition with acquired characteristics (Weeks 1977: 26). From the 1880s, sexologists contributed their views from across Europe: notably the pathologising Veniamin Tarnovsky, Cesare Lombroso, Paolo Mantegazza and Albert Moll, alongside the reforming Magnus Hirschfeld. Although, as Foucault (1987: 101) argues, while nineteenth century discourses on homosexuality advanced social controls, they “also made possible the formation of a ‘reverse’ discourse: homosexuality began to speak on its own behalf, to demand that its legitimacy or ‘naturalness’ be acknowledged, often in the same vocabulary, using the same categories by which it was medically disqualified”.

The reformers persevered. Symonds reviewed the history of moral censure, sickness and effeminacy in ‘A Problem in Modern Ethics’ (1891). While sceptical of Ulrichs’ concept of a ‘third sex’, he agreed same-sex desire was natural and healthy, and suggested changes in the law (Weeks 1977: 54-5). The essay was circulated privately and addressed to medical psychologists and jurists (*ibid*: 26). Similarly, Edward Carpenter, a socialist and writer, presented the situation as social predicament rather than sexual inclination in another privately circulated essay ‘Homogenic Love’ (1895). In a later essay collection ‘The Intermediate Sex’, (finally published in Germany in 1908) he argued that nature “in mixing the elements which go to compose each individual, does not always keep her two groups of ingredients—which represent the two sexes—properly apart” (quoted in

Weeks 1977: 75). The first reform book to be published in Britain was 'Sexual Inversion' (1897) by Symonds and Henry Havelock Ellis, a doctor and writer. It had been planned in 1892, but Symonds died in 1893 and Ellis completed the book. It contained essays by Symonds and 36 case studies, six of which were lesbian friends of Ellis's wife, Edith. It argued that 'inversion' was innate, neither disease nor crime, and that the problem was social attitudes. In the wake of the Wilde trials, Symonds' family panicked; his literary executor bought up the whole issue and ordered the removal of Symonds' name from future editions. A second edition, minus Symonds' name, was published later the same year. A small reform society, the Legitimation League, publicised the book, but Scotland Yard believed they were anarchists and used the book to prosecute them. Ellis was not charged, but as a result of the trial, in 1898, the book was effectively banned. However, the trial publicity resulted in Ellis receiving hundreds of letters, some with life histories, asking for information and views (Weeks 2000: 26-8). Meanwhile, the legislative regulation of sexual behaviour continued.

The Vagrancy Act Amendment Bill 1898, set out to criminalise men who lived off the earnings of female prostitutes or solicited for immoral purposes. A Commons clause to repeal whipping was defeated in the Lords given that:

... during the last five years there have only been seven cases where whipping has been resorted to under the powers of the Vagrancy Act, and in each of those cases the offences were of such a seriously indecent character that I am sure your Lordships would not wish that the power should be parted with in such cases.  
(Lord Belper HL 4.8.1898 vol.64 cc.23-4)

There was nothing to prevent the Act being used against men soliciting sex with women, but in practice it was used against men meeting for sex (Weeks 1991a: 199-200). Similarly, the Criminal Law Amendment Bill 1912 set out to amend the 1885 and 1898 Acts, plus the Immoral Traffic (Scotland) Act. This Act too retained whipping for a second offence of soliciting "if a male" (HC 11.12.1912 c.733). The target of the punishment was clear in a prior Commons debate:

Two persons of this class, found guilty of soliciting for immoral purposes, were sentenced to receive fifteen strokes of the birch rod. [ ... ] If ever there was a case for corporal punishment it is for that particular class of offence of which these applicants have been guilty - soliciting men for immoral purposes. The sentence was not too severe, and, possibly, in another case of the same kind, it might be necessary, in the event of appeal, to consider whether such sentences should not be increased.  
(Reginald McKenna HC 12.11.1912 vol.43 c.1856)

Whipping was finally abolished in 1948, but while this harsh establishment view prevailed, other views were consolidating.

The emerging view of both reformers and sexologists was that sexual preferences were innate. However, while the sexologists associated preferences for same-sex sex with pathology and degeneracy and became respectable through their “relationship with the medical profession” (Weeks 1987: 36), the publishing history of the reformers illustrates the weight of censure under which they were working. For decades after the Wilde trials, public access to their work was withheld in the British Museum Reading Room (Rowbotham 2008: 334). This was challenged by Carpenter in 1912, then by the British Society for the Study of Sex Psychology, founded in 1914 with Carpenter as its first president (Weeks 1977: 117-8). The Society initially prioritised education, but in the 1920s became the British Sexological Society and an international movement for law reform (Weeks 1981: 114). Reform was a distant prospect; legislation was persisting in the opposite direction.

In 1921, Frederick Macquisten attempted to extend gross indecency law to women. The Criminal Law Amendment Bill 1921, set out to amend the 1885 and 1912 Acts. Macquisten’s amendment was passed in the Commons, but defeated in the Lords, who agreed that the resulting publicity would inform women that such ‘polluting practices’ existed (HL 15.8.1921 cc.567-577). The Bill lapsed, but was revived in 1922. Macquisten tried to reintroduce his amendment three times (Waites 2002: 331). Instead, Section 1 of the Act made gender-neutral reference

to indecent assault and disallowed consent as a defence for people aged under sixteen, though neither law appears to have been used in relation to sex between women (*ibid*: 333). Six years later, in 1928, the publishers of Radcliffe Hall's 'The Well of Loneliness', were tried under the 1854 Obscene Publications Act. This gave more publicity to sexual relationships between women than any law or, as Weeks (1977: 109-111) observes, the book itself, could ever have done.

### **Social Control and Social Change**

It is difficult to say at what stage the term 'homosexual' came into more general as well as clinical use, but its use in Parliament is representative of its status as the official term. The online Historic Hansard records a first use in the Commons in 1936 and 18 uses in both Houses 1936-1950. These references occur in the contexts of: psychological treatment for delinquents (1936), grounds for divorce (1937), ordinary criminals having to mix with homosexual prisoners (1946), criminal statistics (1946), criminal justice (1947, 1948, 1949), and the number of prisoners receiving treatment for homosexuality (1949). Parliamentary uses of 'homosexual' in the 1950s were 287, rising to 862 in the 1960s. However, as Baker and Stanley (2003: 18) point out in their study of merchant seamen, it was not a term individuals would use for themselves: in "the last century 'queer' and 'homosexual' had pejorative meanings [and in] the 1950s and 1960s some of these men had no words to describe their sexual orientation". Neither did the participants necessarily see their sexuality as fixed or dichotomised (*ibid*: 19). Added to this gulf between self-perception and the official pathologising view, was the Cold-War belief that homosexuality was politically traitorous and thus a danger to national security.

During WWII, a wave of persecution began in the US in which Rorschach Tests (believed to identify homosexuals) were used to exclude men from military

service and later from government jobs during McCarthy's purges (Hegarty 2003). In Britain, after the disappearance of Guy Burgess and Donald Maclean in 1951 (diplomats known to be homosexual), the US urged the British Government to root out homosexuals as a security risk (Weeks 1977: 159-60). Prosecutions escalated and led to a greater parliamentary focus on homosexuality. However, it was the trial of Lord Montague and Peter Wildeblood in 1953 that resulted in the 1954 appointment of the Wolfenden Committee to review the laws on homosexual offences and prostitution. Burgess and Maclean's defection to the USSR became public knowledge in 1955. The ensuing parliamentary debates took it for granted that homosexuals were a security-risk (HC 7.11.1955; HL 22.11.1955). Two months later, the Sexual Offences Bill 1956 [HL] set out to consolidate existing laws on prostitution, brothels and 'kindred offences'. All existing legislation relevant to sex between men was gathered into the Act:

Existing Act	Re-enactment 1956
1861 Sections 61-3 on buggery:	Sections 12(1), 15(1), 16(1) & 44
1885 Section 11 on gross indecency	Section 13
1898 Section 1(1)b on male soliciting	Section 32
1912 Section 7(2) on male soliciting	Section 32
1922 Section 1 on indecent assault	Section 14(1)
1922 Section 1 on no underage consent	Section 14(2)
(Sexual Offences Act 1956, Statute Book 4 & 5, Eliz.2 Ch.69)	

Prosecutions increased; in fact the Act determined most of the police activity against men meeting for sex for the rest of the century (Stonewall 2009).

The Wolfenden Report was published in 1957. The Committee took a utilitarian view of the law, arguing that its purpose was to preserve public order and protect the weak rather than uphold a particular morality (Weeks 1981: 242). It recommended that sex between men over 21 in private be decriminalised, but that penalties for street offences of all kinds be increased (*ibid*: 243). Even so, it presented homosexuality as an 'unfortunate condition'. In recommending that prisoners desiring oestrogen should receive it and that there should be more

research on the 'condition', the report endorsed the medical view (Weeks 1977: 166). Resistance to decriminalisation was strong in the medical profession. The Archbishop of Canterbury supported it; the Church of Scotland did not. The Report was finally debated over a year later (HC 26.11.1958 cc.365-508). The recommendations on prostitution were enacted in the Street Offences Act 1959; those on sex between men were resisted. Kenneth Robinson's motion for the Government to take early action on decriminalising homosexuality was debated the following year (HC 29.6.1960 cc.1453-1514), but defeated by 213 to 99 votes. Amidst the delay in reform, the Homosexual Law Reform Society and the Albany Trust were founded in 1958, while the Manchester branch of the HLRS formed the Committee for Homosexual Equality in 1964, though they had little influence on subsequent legislation (Weeks 1977: 176).

The first attempt to change the law was made by Leo Abse, a Labour MP, with the Sexual Offences Bill 1962, but it lapsed at second reading. Lord Arran tried again with the Sexual Offences Bill 1965 [HL]; it was passed by the Lords, but lapsed in the Commons. In 1966 Lord Arran reintroduced the Bill. The Sexual Offences Act 1967 was finally enacted in July and had eleven Sections:

1. Amendment of law relating to homosexual acts in private.
  2. Homosexual acts on merchant ships.
  3. Revised punishments for homosexual acts.
  4. Procuring others to commit homosexual acts.
  5. Living on earnings of male prostitution.
  6. Premises resorted to for homosexual practices.
  7. Time limit on prosecutions.
  8. Restriction on prosecutions.
  9. Choice of mode of trial for certain offences.
  10. Past offences.
  11. Short title, citation, interpretation, saving and extent.
- (Sexual Offences Act 1967, Elizabeth II ch.60)

The Act partially decriminalised consensual sex between men over 21 in private, but was stricter than the Wolfenden recommendations. It restricted the meaning of private and tightened the law on underage sex and male soliciting. The Act



applied only to England and Wales and, under pressure from ex-armed-service officers in Parliament and the National Union of Seamen, excluded the armed forces and merchant navy. In its wake, prosecutions again increased, while the civilian atmosphere relaxed into a kind of repressive tolerance (Weeks 1977: 190).

News of the Stonewall riots in New York at the end of June 1969 spread fast (see Duberman 2013: 79-100 for a contemporary account). The story of the riots became much rehearsed (Plummer 1995: 90) and a tenet of gay mythology (Weeks 2011: 65). Stonewall continues to be widely seen as the trigger for the emergence of sexual liberation movements, initially in Western Europe and North America. While Weeks (1981: 283) argues the movements had no single origin, gay organisations and activism proliferated in post-Stonewall UK, for example:

Year	Organisation/Event
1970	Gay Liberation Front (GLF) founded at the London School of Economics
1971	Committee for Homosexual Equality became a Campaign (CHE)
1971	GLF organised the first open gay dance in Kensington and published a manifesto
1971	Friend, a lesbian and gay counselling and befriending helpline founded
1971	GLF march, London, against the unequal age of consent on Stonewall anniversary
1971	Lesbians demanded recognition at a Women's Liberation Conference, Skegness
1972	Gay News, the first gay newspaper began publishing
1972	Sappho, a lesbian social club founded which published a monthly magazine
1972	Scottish Minorities Group (SMG) launched a campaign for Scottish law reform
1972	Gay Pride, the first annual march in London to commemorate Stonewall
1973	First UK gay helpline founded in Oxford
1973	CHE organised the first national gay rights conference in Morecombe
1974	London Gay Switchboard (now LLGS) helpline founded
1974	The first national lesbian conference held in Canterbury
1974	The first international gay rights conference held in Edinburgh
1975	Northern Ireland Gay Rights Association (NIGRA) founded
1975	Gay Sweatshop, the first lesbian & gay touring theatre company began performing
1975	Action for Lesbian Parents founded to support lesbians facing custody cases
1976	Lesbian and Gay Christian Movement (LGCM) founded
1978	International Gay Association (now ILGA) founded at CHE conference, Coventry
1979	Gay humanist group founded (now GALHA)
1979	Gays the Word Bookshop started trading in London

(Weeks 1977 Chapters 16-17; Stonewall 2009; LGBT History Project UK 2014)

However, as Weeks (1981: 286) points out, the “emergence of the modern gay identity was uneven, an adjunct to existing homosexual ways of life rather than

its supplanter”. At the time, appropriation of the term ‘gay’ (and the composite ‘lesbian and gay’) marked a cultural shift. It was self-chosen and constituted a public affirmation of validity (*ibid*). Ultimately, it was a positive move, but making the category positive does not challenge the categorisation itself and, at this stage, it had little effect on legal reform.

An attempt to reduce the age of consent for sex between men to 18 was made by Lord Arran in the Sexual Offences (Amendment) Bill 1977 [HL], but was defeated at second reading. An attempt to extend the 1967 Act to Scotland was made by Lord Boothby in the Sexual Offences (Scotland) Bill 1977 [HL], which passed its second reading but lapsed before reaching the Commons. The 1967 Act was finally extended to Scotland in the Criminal Justice (Scotland) Act 1980. Reform took longer in Northern Ireland. In 1976, Jeff Dudgeon had applied to the ECtHR in respect of continuing criminalisation and police harassment in the province. The following year, Reverend Ian Paisley, a DUP MP, fearing reform, launched his ‘Save Ulster from Sodomy’ campaign. Dudgeon’s case was accepted by the ECmHR and the case heard (ECtHR 22.10.1981 *Dudgeon v UK*). The court ruled that the UK Government was in breach of Article 8 of the ECvHR in respect of Ulster. This was the first time the court had supported gay rights. The 1967 Act was subsequently extended to the province by Statutory Instrument in the Homosexual Offences (Northern Ireland) Order 1982.

By the 1980s, gay liberation had transmuted into concerns with identity, political alliances and working with the state (Cooper 1992: 24). Lesbian and gay groups, centres, helplines and publications were well established. In 1985 the Labour party began to accept claims for equal access to services and political representation. It is from this point that the legislative struggles under scrutiny in this study begin. The years 1986 to 2010 saw no fewer than 23 actual changes in laws affecting lesbians and gay men and 27 attempted changes, some of which became law at the second or third attempt (Appendix 1).

## **Conclusion**

Like the laws discussed in this Chapter, each of the legislative struggles analysed in this study were instigated and shaped by a complex mix of historical conditions, social forces and political motivations. The legislative issues selected for analysis involved protracted conflict, while the parliamentary debates and press coverage of each issue expose a range of beliefs and presumptions about sexuality. The rationale for the study's data selection is outlined in Chapter 2 following an account of parliamentary allegiances, influences and protocols.

## Chapter 2: Data

### Political Struggles and Legislative Powers

The data for this study are selected parliamentary debates on legislative changes affecting lesbians and gay men 1986-2005. Three reasons underlie this choice. First, it is in Parliament that laws are made and repealed. MPs and Lords have institutionalised social power and are operating in a context in which they can, to varied extents, exercise that power. The laws they make and repeal affect people's lives. Second, parliamentary debates are public and influential, not only in their legislative capacity, but also via media reports and commentary which may support or challenge attendant beliefs and values. Third, debate speeches are calculated to appeal not only to other MPs, but also to target sections of the wider public. As Wilson (1990: 50) notes, "one of the major aims of a politician is to gain people's allegiance". Speakers in parliamentary debates thus deploy the strategies and positions they deem will most easily gain support for their cause. However, while they draw on the beliefs and values of the sections of society they represent and indirectly address, they simultaneously reconstruct and reinforce those same beliefs and values. In the process, distinctions between political persuasion and popular prejudice are unclear and assumed addressee prejudices may be exploited for political ends. This makes parliamentary debates a rich source of data for exploring socially pervasive beliefs and values, in this case about sexuality, over a period of legislative struggle and change.

This chapter outlines the legislative process and the various influences on MPs and Lords, particularly that of the press. It then reviews protocols applying to parliamentary debates and evaluates Hansard as a data source. An account of how the debates were selected for analysis completes the chapter.

## **Legislative Process**

The primary functions of Parliament are the making, amending and repealing of laws, the raising and spending of taxes, and deciding when to deploy the armed forces. With the exception of finance Bills, which must originate in the Commons, the legislative process may begin in either House. After a period of consultation, a Bill's First Reading is a formality akin to an announcement. The Bill is then printed and a date arranged for its Second Reading in the House of its origin. Second Reading debates focus on legislative purpose rather than detail and, if consensus is lacking, are followed by a vote. If approved the Bill passes to its Committee stage where each clause is considered and may be amended. This may be completed at a single sitting or last for months. Amendments accepted in Committee are debated at the Report stage and voted on if necessary. Further amendments may also be proposed and debated at this stage. In the Commons, the Third Reading is generally a short debate on the amended Bill, but in the Lords further amendments can be proposed, provided they have not previously been voted on. On passing its Third Reading, the Bill is sent to the other House for a Second Reading and the process repeated. If the Bill is amended by the other House, it must be returned to the House of its origin for consideration. In this way it may go back and forth between the Houses several times, but if either insists on its amendments against the will of the other, the Bill may be lost. If the Bill is passed by both Houses before it runs out of parliamentary time, it will receive Royal Assent and become an Act of Parliament (Field 2002: 286-7).

Governments do not legislate in a vacuum; their legislative powers are modified by various factors. A major factor is the size of a government's majority, but this is affected by the balance of MPs interests and influences beyond those of their party. Silk & Walters (1998: 53-60) discuss personal and constituency

influences, plus those of lobby groups, professional lobbyists and backbench groups, but say little about the press. Influences on the Lords are fewer in that they are not elected and may not belong to a party, but they do have personal allegiances and may represent lobby groups (*ibid*: 62-6). Other modifying factors are the obligation to ensure UK law complies with the European Communities Act 1972 and its subsequent amendments, and with the ECvHR 1950, now localised in the Human Rights Act 1998.

Beyond its law-making capacity, the wider influence of Parliament is via media coverage, to which MPs in general and governments in particular are most sensitive. However, the view of Epstein *et al* (2000: 13) that parliamentary debate “plays a key part in the production of public opinion” needs qualifying. While Parliament’s activities may provoke strong public reactions, production of public opinion is not simply a matter of reporting parliamentary business. If the media spotlights a topic which then gains popular condemnation or support, it may be debated in either House and may lead to legislation. The links between scurrilous newspaper stories in the 1980s and Clause 28 of the Local Government Bill 1987-8 (Chapter 5) illustrate this process clearly. The influence is interactive and the relationship between press and politicians a self-interested balancing act.

Newspapers are not bound by the neutrality regulations that apply to broadcast media. They also need stories that will catch their readers’ interest to maintain their paper’s circulation. A newspaper’s view of their readers’ interests rests largely on demographic factors but, as with parliamentary debates, unclear distinctions between popular prejudice and political persuasion may be exploited for political ends. The regular readers of a newspaper will inevitably absorb the views of that paper with repeated exposure over time. As Wise (2000: 2) points out, where readers lack alternative sources of information on a topic, newspaper reports may be the only view they get. In addition, the popular press can take “a leading role in promoting and actually orchestrating” a campaign for or against

legislation, as in the campaign against the attempted repeal of Section 28 of the Local Government Act 1988 in 2000 (Wise *ibid*).

### **Politicians and the Press**

Governments need the support of newspapers with large circulations in order to maintain popular support and stay in power. Newspapers also have interests to pursue. On the morning of the 1979 general election the Sun ran the headline “VOTE TORY THIS TIME” (3.5.1979). A well documented case of more interactive support is that between Rupert Murdoch, owner of The Sun and The Times, and Margaret Thatcher. For example in March 1982, Tony Benn (1995: 530) noted that Mrs Thatcher had had lunch with Rupert Murdoch “no less than three times [the previous week because] the Tories were panic-stricken that The Times might come out for the SDP. So they were offering Murdoch all possible help in return for support”. At the 1987 election (11.6.1987), The Sun devoted 12 pages to pro-Thatcher and virulently anti-Labour propaganda, including four full-page advertisements with the slogan “don’t let Labour wreck it”. The next day’s headline was “MAGGIE THE THIRD” (12.6.1987). When Margaret Thatcher resigned in 1990, The Sun extended its support to John Major and unremittingly undermined Labour at the 1992 election:

At the climax of The Sun’s election coverage were two particularly negative and personal headlines directed against Lord Kinnock. “*Nightmare on Kinnock Street*” was followed, on election day itself, by the headline: “*If Kinnock wins today will the last person to leave Britain please turn out the lights*”. As is well known, Labour lost the 1992 election but tabloid coverage in the years running up to election, and in particular The Sun’s coverage during the campaign, has remained the subject of controversy ever since. Kelvin MacKenzie, then the editor of The Sun, famously proclaimed through a headline after the Conservative victory that: “*It’s the Sun Wot Won It*”. (The Leveson Report 29.11.2012: 1134)

However, press support for John Major dwindled and became personally hostile.

Lord Leveson suggests that alongside antipathy to Government policies and the rise of New Labour, his lack of personal relationship with influential media figures “was probably a factor” (*ibid*: 1129). Major reported:

In the run-up to the 1997 election, in my third and last meeting with [Murdoch] on 2 February he made it clear that he disliked my European policies which he wished me to change. If not, his papers could not and would not support the Conservative Government. So far as I recall, he made no mention of editorial independence but referred to all his papers as “we”. Both Mr Murdoch and I kept our word. I made no change in policy, and Mr Murdoch’s titles did indeed oppose the Conservative Party.  
(John Major quoted in the Leveson Report 29.11.2012: 1131)

The Sun headlined its support for New Labour with “THE SUN BACKS BLAIR” (18.3.1997), followed by a double page spread (6-7) but, as Lord Leveson shows, Tony Blair had been seeking Murdoch’s support since 1994:

He described this new era as one of “*courting, assuaging and persuading the media*”. Mr Blair confirmed that he met Rupert Murdoch on at least one occasion before becoming leader; this was on 15 September 1994 at a private dinner at a restaurant. Although Mr Murdoch could not recall the dinner, he accepted in evidence that much of what was attributed to him by a number of sources sounded plausible. From this it may be possible to infer that Mr Blair took the opportunity to explain that the Labour Party would not undertake an inquiry into cross-media ownership, and also the state of policy on the statutory recognition of Trade Unions.  
(The Leveson Report 29.11.2012: 1139)

In his study of Murdoch’s politics, McKnight (2013: ch.7) shows that Murdoch’s “support for Labour was conditional” (*ibid*: 162). According to a former adviser to Blair, Lance Price (1.7.2006), Murdoch “seemed like the 24th member of the cabinet. His voice was rarely heard [...] but his presence was always felt”. When Blair resigned in 2007, Gordon Brown found himself in the position of John Major, his press support dwindled and became hostile (Leveson: 1150-5). Brown had tried to move away from preferential treatment of sections of the press. The Sun headline “LABOUR’S LOST IT” (30.9.2009) was “timed to coincide with [...] a key speech by Gordon Brown at Labour’s conference” (McKnight 2013: 6).

This symbiotic relationship between politicians and the press, particularly



the Murdoch press, during the period under study, makes press coverage related to the legislative issues an important secondary source of data.

### **Parliamentary Debates**

In the Commons the length of debates varies considerably depending on the issue, the degree of controversy and the Government's agenda. Where there is no clear consensus, the issue is put to a vote, or 'Division', whereby MPs are recorded by 'Tellers' as they enter the 'Aye' or the 'No' lobby and for which the quorum is 40. Party policy usually determines how MPs vote and 'Whips' ensure compliance. Ministers and Whips are not free to vote against their party and MPs rarely risk doing so, though backbench rebellions among MPs dissatisfied with their party's policy do occur. A party leader may offer members a 'free vote' on an issue, but this too is rare. Parliamentary procedures and protocols, published in successive editions of Erskine May since 1844, now extend to 1000 pages. However, as Chilton (2004: 95) points out "the existence of these rules does not prevent their being broken".

Speaker interaction in debates is highly ritualised and rule-governed. In the Commons the Speaker is the only person who may be addressed directly, as 'Mr/Madam Speaker'. MPs address each other in the third person, to which further rules apply: 'my honourable Friend the Member for...' signals an MP of the same party, 'the honourable Member for...' signals an MP of another party. The prefix 'honourable and learned' applies to MPs who are lawyers, while 'right honourable' applies to Privy Councillors (advisors to the monarch). References to 'the other place' or 'another place' are to the Lords. In analysing forms of address in the Commons, Ilie (2010b: 896-7) sees the distancing effect of third-person address as a means of both mitigating and facilitating aggressive attacks and accusations, both of which are against the rules. Formalities aside, when MPs

speak they indirectly address other MPs, Hansard, the Lords, the public gallery, TV, radio, the press, their constituents and the wider public. The adage ‘playing to the gallery’ is relevant here.

A debate is introduced with a supportive proposal and speeches addressed to the Speaker. MPs wanting to speak stand up, but must wait until called by the Speaker, in which case the MP’s name rather than his/her parliamentary title is used. The Speaker may also terminate a speech and call another MP. An MP wanting to intervene in a speech asks ‘Will my honourable Friend give way?’ if the MP speaking is of the same party; if s/he is of another party, ‘the honourable Gentleman/Lady’ is used. Giving way is at the speechmaker’s discretion unless directed to do so by the Speaker. The Speaker is also responsible for calling the House to ‘Order’ if it gets too rowdy. Order is usually addressed to the whole House in response to jeering, laughter, or uproar, but if the Speaker calls an individual MP to order, the MP’s name plus third-person pronouns are used. In her analysis of five debates during 1998-9, Shaw (2000: 407-9) found requests to ‘give way’ were evenly distributed between men and women, but that men made 90% of the ‘illegal’ interruptions (calling out), which constituted over 40% of the total. The Speaker intervened in only 30% of these illegal cases (*ibid*: 413-4).

Parliamentary rules may also be subverted. Ilie (2010a: 880) found “MPs use and take advantage of parliamentary practices to score points by exploiting each other’s weaknesses and vulnerabilities, as in the case of surreptitious use of unparliamentary language”. For example it is unparliamentary to accuse another MP of lying. Thus criticisms are made by suggestion, association, insinuation, indirect reporting, or irony. Epstein *et al* (2000: 11) add “posturing, innuendo, euphemism, artful and stinging asides, verbal and non-verbal heckling, and stylized harassment of various kinds”. A Clause 28 debate (15.12.1987) offers examples. With “I am not sure that I completely believe the stories that the hon. Gentleman has told us” (c.1001), Claire Short insinuates Harry Greenway is

lying. With “My hon. Friend the Member for Edgebaston has very sincere reasons for wanting to see this legislation go through” (c.995), Michael Brown suggests Jill Knight has an ulterior motive by means of irony. The parliamentary phrase ‘I am grateful to’ may serve a range of functions. With “I am grateful to the hon. Gentleman for giving way; it is very unusual” (c.1000), Tony Banks scorns Harry Greenway. With “I am grateful to the Minister. It is because I knew that he could not say a straight yes or no that use of the word ‘promotion’ is so dangerous” (c.1023), Joan Lester scores a point against Michael Howard. Thus parliamentary language has some wide discrepancies between form and function.

In his pragmatic analysis of question use in the Commons, Wilson (1990) highlights this gap between form and function:

One might argue that the term question in this context is a misnomer, in that the politicians who are involved in the questioning of ministers seem to be doing much more than merely requesting information. This is undoubtedly true, but I would argue that any of the other actions they are attempting to perform (criticise, demean, insult) emerge from the primary action of the question itself, as it is used against the background of both stated propositions, and both general and shared knowledge.

[...]

The reality is the oral session of parliament uses questions for frequently negative purposes.

(Wilson 1990: 155-6/160)

Similarly, in her study of politeness strategies in questions, Perez de Ayala (2001: 158) argues that “politeness [is] the linguistic means used by MPs to produce in the Chamber FTAs [face threatening acts] which are forbidden”. As Crystal (1995: 378) notes, “political questions and answers can rarely be taken at face value”.

From a thematic perspective, Epstein *et al* (2000: 11) show storytelling is a factor in the legislative process. “Arguments for and against particular changes in law are substantively conducted through rival stories which are more or less realist or apocryphal in character.” Their analysis of three age-of-consent debates highlights the “nature and function of stories that are clearly spurious, yet believable—indeed widely believed—in their own time” (*ibid*:12). They conclude:

In sum, parliamentary debates are cultural forms embedded in complex political transactions and formally deployed as legislative activity. This strongly cultural activity involves discursive struggles for hegemony which, in addition to the coercive force of law itself, intervenes in cultural currents and popular behaviours outside.

(Epstein, Johnson & Steinberg 2000: 14)

This makes parliamentary debates a complex as well as rich source of data.

Lords debates tend to be longer and the pace slower. Lords who wish to speak are required to give advance notice and an order of speaking is prepared. As in the Commons, debates are introduced by a supportive proposal. Speeches are addressed to 'My Lords', but individuals are addressed and referred to in the third person as, 'the noble Baroness, Baroness...', or 'the noble Lord, Lord...'. According to Silk & Walters (1998: 205) the "limit on a single debate is usually five hours", but some debates in this study lasted for up to eight hours while others spanned two long sessions. It is usual for the proposer of a motion to conclude the debate after the closing opposition speaker and the Minister have had right of reply. With the words 'the Question now be put', the Lords voice whether they are 'Content' or 'Not Content'. If the voiced vote is challenged, a division is held for which the quorum is 30.

### **Hansard**

Hansard (the Official Report) "is the edited verbatim report of proceedings in both Houses" (<http://www.publications.parliament.uk/pa/pahansard.htm>).

This claim requires qualification. Parliamentary proceedings are recorded by teams of shorthand writers, stenographers and transcribers of taped recordings, who are also partly responsible for editing the transcript. Chilton (2004: 94) observes that "Hansard's supposedly verbatim transcription [...] in fact 'corrects' interrogatives (and other features) to produce an idealised model of the session". In a detailed comparison of the spoken and transcribed versions of four debates,

Slembrouck (1992) identifies four categories of editorial change.

His first category is 'writtenness' (*ibid*: 104-108). This turns the speech into punctuated sentences which elide intonation, stress, disfluency, repetitions, incomplete utterances, pauses, false starts, reformulations and grammatical slips. The transcripts were also more formal than the speech: regional accents were unrepresented, contractions and informal variants were avoided. Further, unclear messages were 'repaired'. As he notes (*ibid*: 107), this "is not a value free operation", although Hansard does not allow factual changes.

Slembrouck's second category is a focus on ideational meanings (*ibid*: 108-110). The transcripts under-represented markers of speaker commitment, such as modal structures and hedges. He argues (*ibid*: 109), the "Hansard criteria of representational relevance appear broadly to entail a reduction of utterances to ideational claims and positions" which decontextualise the actual speech. While this is editorially rationalised in terms of clarity and brevity, it rests on assumptions about communicative efficiency.

The third category concerns participant interaction (*ibid*: 110-113). Slembrouck acknowledges that the transcripts' presentation as dialogue marks their spoken origin, but notes that interruptions such as cheering, shouting, laughter and heckling were largely omitted. The standard marker '[interruption]' was sparsely used and elided its type, volume and duration. He also found mid-utterance give-ways moved to a relevant point in the co-text, while overlapping speech and unintelligible parts of remarks were ignored.

Slembrouck's fourth category concerns forms of address and reference (*ibid*: 113-115). He found that the written records adjusted slippages in protocol to "make them conform to the prescribed conventions" (*ibid*: 114). He suggests (*ibid*: 115) that while these amendments provided "a definite marker of the interactive origin of the discourse [they prevented] the report from representing some inevitable aspects of speech habits" and functions.

These are serious considerations when using Hansard as a data source. However, the importance of such editorial changes depends on what is being studied. Slembrouck is concerned with the written representation of speech. Both Slembrouck and Chilton seem to regard the spoken form as the definitive version of what is being communicated. In the case of Hansard this is debatable. Although Parliament is now systematically recorded for both radio and television (which also exclude some communicative features such as listener comments off microphone/camera or facial expressions in distance shots), Hansard remains the 'Official Report'. It is this report that is consulted by all interested parties, particularly MPs, Lords and journalists. Debates in both Houses show speakers are acutely aware of Hansard and habitually cite it to support their arguments. In a Clause 28 debate for example (HC 15.12.1987), interventions ensured that unparliamentary listener comments were recorded (c.992, c.1009), while 'the record' (c.992, c.998, c.1004, c.1005, c.1006, c.1016, c.1018), 'Official Report' (c.997, c.1018) and 'Hansard' (c.995, c.1022) were referred to in the course of argument. This was in addition to quotes from speeches in the Lords and the Standing Committee for the Bill (c.989, c.990, c.991, c.995, c.996, c.997, c.998, c.1017). Thus in the case of Hansard, it is the written record that is the definitive and more influential version.

The categories of editorial change in Hansard are of limited relevance to this study. It seeks, firstly, to situate the arguments used for and against the legislative changes in their socio-political and historical contexts; secondly, to examine the significance of lexical divisions between each side of related debates. Hansard's editorial changes make little difference to the former and, as the lexical analyses focus on statistically significant keywords and terms related to sexuality, they have minimal influence on the latter. Two final considerations are relevant. First, the online Historic Hansard pages have obvious typos. These are easily spotted in the qualitative analyses (and can be checked in the print edition

if necessary), while the large number of words in the more quantitative analyses minimizes misleading effect. Second, as a transcription of speech, Hansard has a large number of dashes many of which adjoin words which are therefore ignored by concordancing software. This is remedied by saving each debate in pdf and using the search facility to check for missing concordance lines. For a study focused on struggles between competing views of sexuality during this period of legislative change, Hansard is an appropriate data source.

### **Data Selection**

The period 1986 to 2005 was one of remarkable change for lesbians and gay men. The related legislative proposals generated long and heated debates in both Houses. However, this stream of legislative activity was rarely the result of government initiative; contextual factors played a major part. In the case of Section 28, it was the Thatcher Government's agenda for disempowering Labour councils during the final throes of the Cold War. In the case of subsequent positive proposals, it was the courage of lesbians and gay men who took their cases to the European and/or UK courts that accelerated pressure for change (Appendix 1; Stonewall 2014a & b). Actual changes were also facilitated by provisions in the Treaty of Amsterdam 1997 and the Human Rights Act 1998, while the House of Lords Act 1999 reduced traditionalist opposition. Cooper (1993a: 261-3) argues that lesbian and gay rights activism was comparatively successful because it utilised "discourses of formal equality and citizenship [that concurred with] ideologies expressed by the state" and mobilised "around an agenda that prioritised state practice". In addition to myriad campaign groups, out lesbians and gay men became state actors at local and national levels.

Historic Hansard was searched for debates with a high concentration of search terms relating to sexuality. As Hansard frequencies refer to speaker turns

rather than an actual search-term count, and as debates vary in length, the frequencies are only an approximate guide to the focus on lesbians and gay men over a given period or in a particular debate. The most productive terms were *homosexual* (which included *homosexuals* and *homosexuality*), *sexual orientation*, *lesbian*, *gay* (which included their plurals, but from which a few non-sexuality uses of *gay* were excluded) and *same-sex couples*. The frequencies of individual terms varied over time and between legislative issues. The term *homosexual* was prominent in armed forces debates and its frequency gradually decreased over the period, while that of *gay* gradually increased. Conversely, *lesbian* was more prominent in Clause 28 debates after which its frequency declined. The term *sexual orientation* was little used in the early years, but gradually increased from the 1990s and was prominent in anti-discrimination debates. Similarly, the term *same-sex couples* was virtually unused until 2001 then soared with the Civil Partnership Bill 2004.

The frequencies of these five terms were recorded monthly from 1986 to mid-2004 (Appendix 2). Months with high overall frequencies were investigated to identify search-term use with specific debates. The monthly average of all terms for the period searched, excluding holiday months, was 35.6. A list of debates with an overall search-term frequency of 35 or above was compiled (Appendix 3). This yielded 39 debates, two of which were split into two sessions. Seven had search-term frequencies of over 100: three related to Clause 28 (1987-8), one to the second attempt to equalise the age of consent (1999), one to the attempted repeal of Section 28 (2000) and two to civil partnership (2004). Overall, the 39 debates link to eight legislative issues: Clause 28, the age of consent, the armed forces, sexual-orientation discrimination, the Section 28 repeal, adoption and children, employment, and civil partnership.

Legislative issues for analysis were selected with five considerations in mind: the number and length of debates on an issue, the concentration of search



terms in debates, whether the issue had been previously researched, the need for a spread of issues in the study and over time. The selected issues fall into two periods: the latter part of the Thatcher Government and the Major Government (1986-1996) when resistance to change was strong and before any ECtHR cases had been won; the second term of the Blair Government (2001-2005) after the Treaty of Amsterdam, the Human Rights Act, Lords reform, and battles over the age of consent and the armed forces had been won. This enables a comparison of language and arguments used for and against the selected issues, in two distinct socio-political periods. Only one debate, in the second of these two periods, features briefly in a linguistic study. Existing linguistic studies (Baker 2004b/2005; Burrridge 2004) analyse debates in the Blair Government's first term, which falls between the two periods selected for this study.

Baker's (2004b/2005) study, first published in a journal then expanded in Chapter 2 of his book on 'Public Discourses of Gay Men', is a corpus analysis of three Lords' debates on equalising the age of consent for gay men in 1998, 1999 and 2000—a corpus of 100,000 words. He shows how gay men were constructed in the lexis of speakers for and against equalisation and illustrates his analysis with tables and quotes. His commentary falls into six themed sections: 'Identities or acts', 'A discourse of tolerance', 'A criminal behaviour', 'Danger and ruin', 'Unnatural and abnormal', and 'The thin end of the wedge'. He concludes with a discussion of sexual identity, socially imposed or individually adopted, and its indirect relation to sexual acts. He notes that while the Lords see themselves as an independent source of expertise, on this issue many were anachronistically rooted in pre-1967 criminal law and preoccupied with anal sex.

Burrridge (2004) analyses disclaiming in Commons and Lords debates: six on the attempted repeal of Section 28 in 2000 and the two preceding its actual repeal in 2003. His focus is on how a homophobic discourse operates via the mitigation of prejudiced statements. He identifies two categories of disclaimers,

the absence of prejudice and the presence of tolerance, and discusses examples. His analysis shows that a significant number of anti-repeal speakers in the attempted-repeal debates were trying to avoid being seen as prejudiced while advocating or legitimising discrimination, a strategy that was rarely challenged. While disclaiming was still evident in the actual-repeal debates, he notes that anti-repeal speakers in the Commons were more willing to concede a critique of tolerance. He concludes that raising awareness of how disclaiming functions as the subtle advocacy of discrimination is the first step to resisting it.

These two linguistic studies each focus on a single legislative issue within a single timespan and therefore offer little insight into the range of arguments and language features evident in debates on other issues over the two decades of landslide legal change. In addition, while Baker adopts a single, albeit powerful, approach to language analysis, Burrridge analyses examples of a single language feature. Both studies are important but limited. The data selected for this study covers a range of prominent legislative issues in the periods either side of the existing linguistic studies (see below) and approaches analysis of the language used in the relevant debates from multiple perspectives (see Chapters 3 and 4).

The following legislative issues were selected for analysis. In period one, the passage of Clause 28 of the Local Government Bill 1987-8 generated intense debates and scored highly in the frequency counts. Though well researched in sociology and cultural studies (Evans 1989; Smith 1990; Weeks 1991b; Reinhold 1994a/b), it was selected because “what it did above all was to mobilize a lesbian and gay community that had been badly battered by the HIV/AIDS crisis” (Weeks 2007: 95). As the catalyst mobilising struggle for legal change, it is the necessary starting point for this study and is the focus of Chapter 5. The reduction of the age of consent for gay men to 18 and the decriminalisation of lesbians and gay men in the armed forces in the Criminal Justice and Public Order Act 1994 were the main reforms under the Major government and also scored highly in the

frequency counts. An age-of-consent debate is analysed in a sociology thesis (Waites 1995). This initial, incremental, positive change is the focus of Chapter 6. The position of lesbians and gay men in the armed forces was debated regularly from 1986 to 1996, but these debates are unresearched. An attempt to repeal the ban on lesbians and gay men in the armed forces in the Armed Forces Bill 1995-6 is the focus of Chapter 7.

In period two, an amendment to allow same-sex couples to jointly apply to adopt in the Adoption and Children Bill 2001-2 provoked strong resistance. Its enactment had important symbolic significance in that it acknowledged lesbian and gay partners as parents. Related studies are from a social policy perspective (Dey 2005; Hicks 2005). The amendment is the focus of Chapter 8. As secondary legislation (Statutory Instrument), the Employment Equality (Sexual Orientation) Regulations 2003 bypassed the full parliamentary process of primary legislation. However, the Regulations were challenged in the Lords for non-compliance with the EU directive. The Regulations are analysed in a legal study (Oliver 2004). The Lords debate is the focus of Chapter 9. The major legislation of the period was the Civil Partnership Bill 2004, which scored highly in the search-term frequency counts and generated intense debates. It is well researched from sociological and legal perspectives (Barker 2004; Glennon 2006; Harding 2008; Weeks 2007 & 2008b), but was selected for its major symbolic significance in terms of same-sex relationship recognition. It is the focus of Chapter 10.

The individual debates selected for qualitative analyses within these six issue-based Chapters are:

Period One:	The Local Government Bill	15.12.1987	Commons
	The Criminal Justice and Public Order Bill	21.2.1994	Commons
	The Armed Forces Bill	9.5.1996	Commons
Period Two:	The Adoption and Children Bill	4.11.2002	Commons
	The Employment Equality Regulations	17.6.2003	Lords
	The Civil Partnership Bill	12.10.2004	Commons

In addition to these six qualitative analyses, all debates in each period with above average search-term frequencies (Appendix 3) undergo a more quantitative corpus analysis. This enables an overview of shifts and stabilities in views of sexuality in the two periods by speakers who supported lesbians and gay men and those who did not (see Chapter 11).

### **Conclusion**

The bank of legislative changes over the two decades marks significant change. However, as Angela Eagle MP emphasised (23.2.2011), they were not inevitable and were not achieved without struggle; they “were achieved in the face of fierce Conservative opposition and unremitting press hostility”. Struggle is evident in the debates on various dimensions: between the Commons and the Lords, between the political parties, between traditionalists and progressives in both Houses and between religious and secular values. This raises the question of how language use relates to views and values, and how the use of individual language items becomes associated with different evaluative positions. The social-constructionist theory of language use developed by Valentin Voloshinov and Mikhail Bakhtin in early twentieth-century Russia offers a theoretical basis for the construction and assimilation of views, values and social expectations via language use. Their ideas are the subject of the Chapter 3.

## Chapter 3: Theory

### Signs of Struggle: Voloshinov and Bakhtin

The group of scholars known in the West as the 'Bakhtin Circle' met in post-revolutionary Russia between 1918 and 1928. It was in this period, in the flux of post-revolutionary idealism, that artists and intellectuals collectively adapted their ideas and practices to social utility for the new and fast-changing society. In this political atmosphere, it is not surprising that Voloshinov and Bakhtin, with other scholars, turned away from formalist (or structural) views of language, then epitomised in the work of de Saussure whose *Course in General Linguistics* was available informally to scholars from the early 1920s (Brandist 2015: 125-8). Their solution was a social-constructionist view of language as used in everyday material realities. What Voloshinov and Bakhtin shared was the idea that all language use involves evaluation based on situated social experience and that meaning is constructed collaboratively in the fluctuating social contexts of its production and reception. Thus links between 'signifiers' and 'signified' were seen as variable. While there is considerable overlap between their ideas, their application differed. Voloshinov was mainly concerned with the role of language in social psychology and the pragmatics of its everyday use. Bakhtin was mainly concerned with language use in literature and only later applied their ideas to its everyday use. The political contexts of their writings also varied. Voloshinov's works, written in the 1920s, more directly address class struggle in considering Marxism, language theory and language use. Bakhtin's works, which span the Stalin era, draw on these ideas to more subtly address the forces of social control and resistance. It is this latter aspect of their work that makes it appropriate for this study. It offers a socio-political understanding of language

used by different social groups in struggles for social change.

This Chapter summarises the migration of Voloshinov's and Bakhtin's ideas from the USSR to the West and outlines the three key aspects of their work most relevant to this study. Each aspect is discussed in turn and illustrated with contemporary examples related to the study's concerns. A discussion of how their ideas about social struggle link to later theorisations concludes the chapter.

### **Questions of Recognition**

Stalin's purge commissions were active by 1929. Bakhtin was arrested in 1928 and exiled to Kazakhstan in 1929. Voloshinov kept his research post at the Institute for the Comparative History of the Literatures and Languages of the West and East in Leningrad, but died of TB in 1936. In the 1960s, after Soviet inquisitions had eased, their works received wider recognition, first in Russia, then in the West via translated publications in the 1970s and 80s. Controversy over the works' authorship ensued (Vice 1997: 7-10). In 1973, "a distinguished Soviet linguist, V. V. Ivanov, [declared] that all significant writings signed by Voloshinov [and Medvedev were] written largely by Bakhtin" (Morris 1994: 2). The declaration was supported in the USA by Bakhtin's main translator, editor and biographer, Holquist. However, Ivanov's exclusion of a key work by Voloshinov, plus the chronology and diverse topics of Bakhtin's and Voloshinov's 1920s publications, counter the declaration (Titunik 1976: xvii-xix; Matejka & Titunik 1986: ix-xi). Bakhtin also "refused to sign an affidavit on the alleged authorship [...] shortly before his death" in 1975 (*ibid.*: ix). Given the machinations of Soviet politics and the anti-communist strictures of Cold-War USA, motivations for the declaration and for its acceptance are fathomable. Holquist also claims that the writings' Marxist approach was "simply necessary window dressing aimed at making the work acceptable to the Soviet publishing authorities" (Morris 1994:

3). The Cold-War context offers motivation for this claim too. It is not supported by more recent archival research in Russia (Brandist 2008). In this study, it is the social-constructionist view of language use that is important. The concepts discussed in this chapter are identified with the original authors.

Three strands of Voloshinov's and Bakhtin's thinking are of key relevance to this study. The first links the evaluative aspects of language use to struggle between the views of different groups in society. The second links a person's appropriation (and non-appropriation) of language items to the values they are perceived to carry. The third sets the construction of meaning and consciousness within interactive language use. However, as Brandist (2003; 2008; 2015: ch.5) and Brandist & Chown (2011) show, via research in the Russian archives, other Leningrad scholars (not published in translation) were also developing forms of sociolinguistics in the 1920s, decades before social approaches to language were being developed in the West. The scholars' views of language use were informed by "lexical changes brought about by the flood of non-standard forms of speech into Russian cities and administration [which] clearly showed that language was not immobile, but undergoing significant adjustments under the pressure of social changes" (Brandist 2015: 129). Existing theories, whether structural or individualised, did not account for this. The scholars' theorisations were born of socio-political need. In the 1920s, Soviet language policy was to enable national minorities and the peasantry to participate fully in social and political life and to bring local dialects and languages into "formal equality with Russian" (Brandist 2003: 223). The policy fostered the scholars' 1920s research. Their theorisations of how language works between socially partitioned groups, particularly where power differentials exist, are no less relevant in today's fast-changing world.

The Russian theorisations initially filtered into the West by indirect means and later surfaced in various strands of sociolinguistics. Voloshinov's work was used by Roman Jakobson in Prague in the 1930s and he was responsible for its

translation and publication once he had an academic post in the USA (Morris 1994: 2). In Britain, Firth (1957: 177-189) agreed with the social approach of the Russian linguists and references Jakobson. Gumperz & Hymes (1972) reference Firth and Jakobson, as does Halliday (1978)—along with Gumperz and Hymes. Many of Voloshinov's and Bakhtin's ideas are now implicit in social approaches to language analysis. Their work has also been of interest to social and cultural theorists in disciplines beyond linguistics. Their ideas are referenced, discussed or applied in for example: Williams (1976; 1977; 1986); Bourdieu (1977; 1991); Hall *et al* (1980); Kristeva (1980); Eagleton (1981; 1982; 1991); Fowler (1981); Billig (1987; 1997); Hodge & Kress (1988); Fairclough (1992); Slembrouck (1992); Hall (1993); White (1993); Chouliaraki & Fairclough (1999); Joseph (2004); Blommaert (2005); Cameron (2006a); Maybin (2006); Tolson (2006); Tannen (2007). In addition to the importance of their ideas to this study, it is hoped that by returning to their writings the originality of their thinking will be highlighted.

### **Language and Social Struggle**

Voloshinov saw language as a series of fluctuating ideological signs which are formed and revised in the shifting social contexts of their use:

The sign is a creation between individuals, a creation within a social milieu. Therefore the item in question must first acquire interindividual significance, and only then can it become an object for sign formation. In other words, *only that which has acquired social value can enter the world of ideology, take shape, and establish itself there.*

(Voloshinov 1986 [1929]: 22, author's italics)

Ideology here applies as much to an everyday view of experience, to a speaker's situated view of life, as to a formulated belief system. Thus language use always conveys an evaluative as well as referential meaning. Accordingly, he argued that evaluations are produced within specific social situations; that is: language items function differently in different contexts and as used by different speakers with



different interlocutors. He saw this ‘extraverbal’ context as a largely internalised constituent of interaction spanning the historical conditions of the situation, its perceived atmosphere, the interlocutors’ spatial purview, their common knowledge, and their respective evaluation(s):

[T]he extraverbal situation is far from being merely the external cause of an utterance—it does not operate on the utterance from the outside, as if it were a mechanical force. Rather, *the situation enters into the utterance as an essential and constitutive part of the structure of its import*. Consequently, a behavioral utterance as a meaningful whole is comprised of two parts: (1) the part realized and actualized in words and (2) the assumed part. On this basis the behavioral utterance can be likened to the enthymeme. (Voloshinov 2012 [1926]: 164, author’s italics)

Shared assumptions thus “generate a *community of value judgments*” (*ibid.*: 165):

Thus every utterance in the business of life is an objective social enthymeme. It is something like a “password” known only to those who belong to the same social purview. The distinguishing characteristic of behavioral utterances consists precisely in the fact that they make myriad connections with the extraverbal context of life and, once severed from that context, lose almost all their import—a person ignorant of the immediate pragmatic context will not understand these utterances. (Voloshinov 2012 [1926]: 165-6)

This applies to terms used in lesbian and gay contexts—as Zwicky (1997: 25) observes: “As with slang, we are dealing with shifting, local usages. Rapid change divides the generations, and locally restricted usages produce intergroup misunderstandings.” This is applicable to all socially partitioned groups but, as Voloshinov argued, pragmatic contexts are not mutually exclusive:

The immediate context may be of varying scope. [...] However, the unified purview on which an utterance depends can expand in both space and time: *The “assumed” may be that of the family, clan, nation, class and may encompass days or years or whole epochs*. The wider the overall purview and its corresponding social group, the more *constant* the assumed factors in the utterance become. (Voloshinov 2012 [1926]: 166, author’s italics)

Language items are repeatedly open to re-evaluation in their transposition from one speaker and one context to another. The positive and negative connotations they acquire and lose thus reflect the social evaluations of their users:

The very same thing that makes the ideological sign vital and mutable is also, however, that which makes it a refracting and distorting medium. The ruling class strives to impart a supraclass, eternal character to the ideological sign, to extinguish or drive inward the struggle between social value judgments which occurs in it, to make the sign uniaccental. (Voloshinov 1986 [1929]: 23)

Voloshinov also reviewed the role of language in wider social change:

New aspects of existence, once they are drawn into the sphere of social interest, once they make contact with the human word and human emotion, do not coexist peacefully with other elements of existence previously drawn in, but engage them in struggle, reevaluate them and bring about a change in their position within the unity of the evaluative purview. This dialectical generative process is reflected in the generation of semantic properties in language. A new significance emerges from an old one, and does so with its help, but this happens so that the new significance can enter into contradiction with the old one and restructure it.

The outcome is a constant struggle of accents in each semantic sector of existence. (Voloshinov 1986 [1929]: 106)

This constant struggle for significance within the ambiguities of everyday social interaction make distinctions in language use emblematic of struggle between social groups. Although Voloshinov's point of reference was class struggle, his analysis applies equally to other socially partitioned groups.

An example of struggle for significance relevant to this study is the use of *sodomite(s)*. The term invokes a emotionally loaded history. In Parliament, its use surfaced at times of resistance to social change and potential reform. Hansard records no use of it during the nineteenth century and only eight uses in the twentieth: one in a Homosexual Reform debate (HC 26.5.1965 c.615); two in a Sexual Offences Bill debate (HL 21.6.1965 c.303 & c.361); two during the Gay Liberation years (HC 5.4.1974 c.1651; HC 19.5.1976 c.1501); one in a debate on Homosexual Offences (HC 14.3.1994 c.722); plus two in provocative questions by Lord Tebbit: on definitions of family (HL 29.10.1997 c.242WA), and same-sex partner tenancy-succession rights (HL 18.11.1997 c.69WA). In each case the doctrinal horrors of sodomy were transported into a shifting twentieth century context. Lord Tebbit's uses of the term especially attempt to relegate its referents

to a maligned position and claim judgmental superiority in his struggle against proposed reforms. Notably, three twenty-first century uses of *sodomites* in a Civil Partnership debate (HL 22.4.2004 c.416), occurred in a mocking critique of anachronistic Old Testament beliefs and practices. As Voloshinov emphasised:

Countless ideological threads running through all areas of social intercourse register effect in the word. It stands to reason, then, that the word is the most sensitive *index of social changes*, and what is more, of changes still in the process of growth, still without definitive shape and not as yet accommodated into already regularized and fully defined ideological systems. The word is the medium in which occur the slow quantitative accretions of those changes which have not yet achieved the status of a new ideological quality, not yet produced a new and fully-fledged ideological form. The word has the capacity to register all the transitory, delicate, momentary phases of social change.  
(Voloshinov 1986 [1929]: 19, author's italics)

As Cameron (2006a: 144) observes, Voloshinov saw attempts to “fix the meanings of words and utterances [as] imposing an illusory unity or consensus and denying the reality of continual struggle over the sign”.

Bakhtin epitomised the social struggle inherent in language use with his concepts of ‘centripetal’ and ‘centrifugal’ forces. The former he characterised as authoritative and centralising discourse, which strives to unify “*the verbal-ideological world*” (1981 [1935]: 270), the latter as the diverse evaluations of different groups, in different social contexts and different historical periods. He saw the operation of these two forces as a constant source of dynamic tension at play in all language use: from the pronouncements of governments and religion which seek social control, to the everyday interactions of individuals who may seek to resist it. He termed the kaleidoscopic intersections and contradictions between these different social languages ‘heteroglossia’. This is best understood as social hierarchies within “genre, register, sociolect, dialect” (Vice 1997: 18), as well as between different languages where they co-exist in a society, each strata of language being associated with a particular way of seeing the world, with particular contexts, and particular social groups:

But the centripetal forces of the life of language, embodied in ‘unitary language’, operate in the midst of heteroglossia. At any given moment of its evolution, language is stratified not only into linguistic dialects in the strict sense of the word [...] but also—and for us this is the essential point—into languages that are socio-ideological: languages of social groups, “professional” and “generic” languages, languages of generations and so forth. And this stratification and heteroglossia, once realized, is not only a static invariant of linguistic life, but also what insures its dynamics: stratification and heteroglossia widen and deepen as long as language is alive and developing. Alongside the centripetal forces, the centrifugal forces of language carry on their uninterrupted work, alongside verbal-ideological centralization and unification, the uninterrupted processes of decentralization and disunification go forward.  
(Bakhtin 1981 [1935]: 271-2)

He also linked heteroglossia to internal struggle between authoritative discourse and internally persuasive discourse: the former requiring conformity regardless of belief, the latter corresponding to views, perhaps associated with a particular writer or speaker, that are convincing and alter consciousness:

Internally persuasive discourse—as opposed to one that is externally authoritative—is, as it is affirmed through assimilation, tightly interwoven with one’s own ‘word’. In the everyday rounds of our consciousness, the internally persuasive word is half-ours and half-someone else’s. [...] More than that, it enters into an intense interaction, a *struggle* with other internally persuasive discourses. Our ideological development is just such an intense struggle within us for hegemony among various available verbal and ideological points of view, approaches, directions and values.  
(Bakhtin 1981 [1935]: 345-6, author’s italics)

Thus the assimilation of internally persuasive discourse is an interactive process between available alternatives. Conversely, the non-assimilation of discourse and the values with which it is associated, requires an alternative view to be already persuasive in an individual’s consciousness.

An example of limited alternatives in this study is the press hostility to lesbians and gay men in the 1980s (Lumsden 1988: 203-5) much of it exploiting the AIDS crisis to vilify gay men (Watney 1997: 77-96) and much of it in *The Sun* (Lumsden 16.1.1987). Heterosexuals without lesbian or gay friends or family had little access to alternative views. An effect of this press onslaught is evident in British Social Attitude Surveys which recorded negativity towards homosexuality

between 1983 and 1993: it peaked in 1987 (HC Research Paper 98/68: 29) at the height of press hostility preceding the general election and Clause 28 (Chapter 5).

The ways in which struggle between the views of different social groups is inherent in the language they use underpins this study.

### **The Collective Nature of ‘Word’ and ‘Voice’**

Bakhtin argued that the words available to a speaker derive from their exposure to other people’s use of them in specific contexts, for specific purposes. Thus the ‘voices’ and ‘words’ of others are continually (re)appropriated:

The word in language is half someone else’s. It becomes ‘one’s own’ only when the speaker populates it with his own intention, his own accent, when he appropriates the word, adapting it to his own semantic and expressive intention. Prior to this moment of appropriation, the word does not exist in a neutral and impersonal language (it is not, after all, out of a dictionary that the speaker gets his words!) but rather it exists in other people’s mouths, in other people’s contexts, serving other people’s intentions: it is from there that one must take the word, and make it one’s own.

(Bakhtin 1981 [1935]: 293-4)

This view is supported by contemporary work in corpus linguistics which, as Maybin (2001: 68) notes, “throws up consistent patterns of evaluative meanings and connotations for particular phrases, which are not open to intuition, or recorded in dictionaries”. Hoey’s (2005) corpus research explains collocation in terms of lexical priming: that is repeated exposure to co-occurring words “leads to a speaker unintentionally reproducing some aspect of language, [which] in turn primes the hearer” (*ibid*: 9). He argues that priming is “the driving force behind language use, language structure and language change” (*ibid*: 12). However, while Hoey’s work offers Bakhtin’s view of language appropriation empirical support, it does not explore its evaluative dimension and thus does not consider non-appropriation. According to Bakhtin, not all words to which an individual is exposed may be appropriated. The above quote continues:

And not all words for just anyone submit equally easily to this appropriation, to this seizure and transformation into private property: many words stubbornly resist, others remain alien, sound foreign in the mouth of the one who appropriated them and who now speaks them; they cannot be assimilated into his context and fall out of it; it is as if they put themselves in quotation marks against the will of the speaker. Language is not a neutral medium that passes freely and easily into the private property of the speaker's intentions; it is populated—overpopulated—with the intentions of others.  
(Bakhtin 1981 [1935]: 294)

This posits non-appropriation as a matter of avoidance associated with negatively perceived contexts, connotations and users of the word(s). It suggests people are unlikely to appropriate the words of others with which they cannot identify. As Zwicky notes in relation to lesbian and gay identities:

*Identification:* From the available potential models, we choose people we believe ourselves to be, or wish to be like.  
*Avoidance:* We avoid behaviors that are associated with people we do not believe ourselves to be, or do not wish to be like.  
(Zwicky 1997: 29)

An example of (non-)appropriation related to this study relates to the adoption of *gay* instead of *homosexual*, by gay men in the 1970s:

The use of the word 'gay'—our own word for ourselves—marked a decisive break with the institutions and discourses of heresy and disease within which all homosexuals were, by definition, previously confined. For the first time it became possible to make a positive homosexual self-identification in terms other than those of the dominant heterosexual culture.  
(Watney 1980: 64)

Its adoption was a conscious rejection of the clinical *homosexual* with its history of abnormality and illness and of other pejorative terms such as *queer* (Weeks 2011: 63). While *gay* became mainstream over the two decades of this study, it was and is contested. The new usage of the term was disparaged in the Lords (18.12.1986 c.312; 1.2.1988 c.893/c.895; 16.2.1988 c.610) and *homosexual* was still widely used by speakers in both Houses who opposed Civil Partnership in 2004. By the 1990s *gay* had “been used continually in the UK gutter press

alongside their words ('poof' and so on), and [was] contaminated with many of their resonances" (Sinfield 1994: 205). More recently, among teenagers, *gay* has been used to mean "lame, or unfashionable" (Baker 2005: 1). An Ofsted report (19.6.2012) found that *gay* was widely used to mean 'rubbish' and that pupils perceived to be gay were one of three groups at most risk of bullying. A Stonewall report (2012) found that 99% of gay pupils had heard *gay* used negatively at school, even by teachers, and that 55% had been bullied. Both reports cite good and bad practice in school policy and teacher response. The persistence of this trend in schools is partly a hangover from Section 28 and lack of teacher training on the issue; it is also symptomatic of pervasive resistance to legitimisation and acceptance of lesbians and gay men. Investigating the evaluative dimension of lexical choices is an important feature of this study.

The appropriation of 'voices' and 'words' are most easily discernable in the speech of children, in which the exact intonation of the words/voice they have appropriated for their own purposes may be identifiable. In her ethnographic study of schoolchildren's talk in the process of socialisation Maybin found:

The central role of evaluation in children's meaning making is expressed particularly through their use of reported voices, which constituted their main means of invoking other contexts away from the here and now and bringing them to bear in some way on what was happening in the present.

(Maybin 2006: 186)

Maybin's research posits the appropriation of another's voice/words as akin to intuitively acquiring a persona, to adopting an evaluative stance for the purpose of responding to a social situation. While adults may recognise this phenomenon in themselves when responding to something with an unwittingly absorbed expression or viewpoint, the origin of such stances is unacknowledged and thus rarely traceable in the speech of others. However, in reported speech, the words are acknowledged as belonging to someone else. Voloshinov focused on the relation between the reported speech and the reporting context:

[T]he true object of enquiry ought to be precisely the dynamic interrelationship of these two factors, the speech being reported (the other person's speech) and the speech doing the reporting (the author's speech). After all, the two actually do exist, function, and take shape only in their interrelation, and not on their own, the one apart from the other.

(Voloshinov 1986 [1929]: 119)

He proposed two directions of evaluation within the reporting conventions of a given language. The first, 'linear style', he linked to the perceived authority of the report and its depersonalised relation to the reporter:

Within the scope covered by the first direction, we must also define the degree of authoritarian reception of an utterance and the degree of its ideological assurance—its dogmatism. The more dogmatic an utterance, the less leeway permitted between truth and falsehood or good and bad in its reception by those who comprehend and evaluate, the greater will be the depersonalization that the forms of reported speech will undergo.

(Voloshinov 1986 [1929]: 120)

Whether or not the reporter's view concurs with speech reported in this direct way, it is clearly demarcated from it. The second direction, 'pictorial style', he linked to the reporter's paraphrasing and personalisation of the report:

Language devises means for infiltrating reported speech with authorial retort and commentary in deft and subtle ways. The reporting context strives to break down the self-contained compactness of the reported speech, to resolve it, to obliterate its boundaries. We may call this style of speech reporting *pictorial*. Its tendency is to obliterate the precise, external contours of reported speech; at the same time, the reported speech is individualized to a much greater degree—

(Voloshinov 1986 [1929]: 120-121, author's italics)

Reports in both styles are prevalent in parliamentary debates. On reporting in rhetorical genres Voloshinov argued:

It is important to determine the specific gravity of rhetorical speech, judicial or political, in the linguistic consciousness of the given social group at a given time. Moreover, the position that a specimen speech to be reported occupies on the social hierarchy of values must be taken into account. The stronger the feeling of hierarchical eminence in another's utterance, the more sharply defined will its boundaries be, and the less accessible will it be to penetration by retorting and commenting tendencies from outside.

(Voloshinov 1986 [1929]: 123)



An example of a fully demarcated and completely depersonalised 'linear' report is Ken Livingstone's quoting of Heinrich Himmler's decree on homosexuals during his speech in a Clause 28 debate (HC 15.12.1987 c.1013). Its origin was clearly identified and it was quoted verbatim to link the Clause to fascism, but had no observable effect on Conservative support for the Clause. A paraphrased and personalised 'pictorial' report in the same debate is Jill Knight's citing of unidentified parents who had, she claimed, told her that they had been hit, spat on, urinated on and punched in the stomach when complaining about schools "promoting homosexuality" (c.1000). By linking her claim to unsubstantiated press reports and by reference to reports that had been found to be lies, Clive Soley was able to accuse her (within parliamentary rules) of lying (c.1008). This too had no observable effect on Conservative support. However, the authority of the demarcated quote is clear; it went unremarked except for a reference to Ken Livingstone having raised "the emotional level of the debate" (c.1015), but the paraphrased report was successfully challenged. That neither the quote nor the challenge had any discernable impact on Conservative views, shows that parents complaints about the alleged promotion of homosexuality was higher up their hierarchy of social values, and better served Conservative interests, than either the truth of Jill Knight's report or their position being linked to fascism.

The debates analysed in this study show that social hierarchies of value are also evident in reported arguments, situations and events.

### **Interaction and the Construction of Meaning**

Voloshinov distinguished between 'meaning' and 'theme': the former being the basic reproducible reference(s) or function(s) of words which give a language common currency; the latter being a response to specific instances of their use (1986 [1929]: 100). Thus theme corresponds to the process of understanding, to

a situated construction of significance via internal dialogue with assumptions derived from social experience. Dialogue here applies to the appraisal of any verbal medium with which a listener/reader engages:

[E]ach of the distinguishable significative elements of an utterance and the entire utterance as a whole entity are translated in our minds into another, active and responsive, context. *Any true understanding is dialogic in nature.* Understanding is to utterance as one line of dialogue is to the next. Understanding strives to match the speaker's word with a counter word.

(Voloshinov 1986 [1929]: 102, author's italics)

Accordingly, he argued:

Therefore, there is no reason for saying that meaning belongs to the word as such. In essence, meaning belongs to a word in its position between speakers; that is, meaning is realized only in the process of active, responsive understanding. Meaning does not reside in the word or in the soul of the speaker or in the soul of the listener. Meaning is the *effect of interaction between speaker and listener produced via the material of a particular sound complex*. It is like an electric spark that occurs only when two different terminals are hooked together.

(Voloshinov 1986 [1929]: 102-3, author's italics)

Thus it is in social experience, at any given meeting point between the situations a speaker/writer has available from which to appropriate language and those the listener/reader has available to evaluate it, that meaning is constructed. It is an ongoing, interactive process between social experience, participants and context.

Voloshinov also applied this dialogic view to thought, or 'inner speech', which he saw as the evaluative re-running of links between language, people, situations and events which constitutes consciousness:

These units of inner speech, these *total impressions of utterances*, are joined with and alternate with one another not according to the laws of grammar and logic but according to the laws of *evaluative (emotive) correspondence, dialogical deployment*, etc., in close dependence on the historical conditions of the social situation and the whole pragmatic run of life.

(Voloshinov 1986 [1929]: 38, author's italics)

Therefore neither 'inner' nor 'outward' speech, nor the meaning constructed via these multidimensional dialogic evaluations, belong to the individual. They

belong to people's social experience, to the social groups and environments that gave them words, to their social milieu (2012 [1927]: 166). Thus the product of this evaluation—consciousness, also belongs to the groups and environments within which it was formed:

This ideological chain stretches from individual consciousness to individual consciousness, connecting them together. Signs emerge, after all, only in the process of interaction between one individual consciousness and another. And the individual consciousness itself is filled with signs. Consciousness becomes consciousness only once it has been filled with ideological (semiotic) content, consequently, only in the process of social interaction. (Voloshinov 1986 [1929]: 11)

He saw the continuity of both individual and group consciousness as the product of these ongoing, interactive processes throughout life.

The continuity of consciousness, embedded in ongoing dialogues between language users, between inner and outward speech, between internalised and external experience, and competing evaluations, underpinned Voloshinov's critique of Freud (2012 [1927]). He argued (*ibid*: Ch.8) that Freud's concept of the unconscious and conscious minds was no more than a struggle of historically specific ideological motives. This led him to distinguish between an 'official' and 'unofficial' conscious and hence between 'official' and 'unofficial' ideology:

The wider and deeper the breach between the official and unofficial conscious, the more difficult it becomes for motives of inner speech to turn into outward speech (oral or written or printed, in a circumscribed or broad social milieu) wherein they might acquire formulation, clarity and rigor. Motives under these conditions begin to fail, to lose their verbal countenance, and little by little really do turn into a "foreign body" in the psyche. Whole sets of organic manifestations come, in this way, to be excluded from the zone of verbalized behaviour and may become *asocial*. (Voloshinov 2012 [1927]: 145-6, author's italics)

The potential for the 'unofficial conscious' to become asocial and die out, or to become social and gain strength, can be applied to the struggles of any group partitioned by social conditions. In this study, the distinction captures the pre- and post-1970s situation of lesbians and gay men and highlights the importance

of group solidarity in struggles for social change. The above quote continues:

Of course, not every area of human behavior is subject to so complete a divorce from verbal ideological formulation. After all, neither is it true that every motive in contradiction with official ideology must degenerate into indistinct inner speech and then die out—it might well engage in a struggle with that official ideology. If such a motive *is founded on the economic being of the whole group*, if it is not merely the motive of a declassé loner, then it has a chance for a future and perhaps even a victorious future. There is no reason why such a motive should become asocial and lose contact with communication. Only, at first a motive of this sort will develop within a small social milieu and will depart into the underground—not the psychological underground of repressed complexes, but the salutary political underground. That is exactly how a *revolutionary ideology* in all spheres of culture comes about.

(Voloshinov 2012 [1927]: 146, author's italics)

A core focus of this study is shifts and continuities in strands of 'official ideology' relating to lesbians and gay men in the process of legislative change.

Interaction was also central to Bakhtin's thinking, but in a more abstract and generalised way. He distinguished between the linguistic significance of an utterance and its actual meaning: the former being understood via language knowledge, the latter via other utterances in the contexts of their viewpoints and values (1981 [1935]: 281). This corresponds to Voloshinov's distinction between meaning and theme, but Bakhtin was less attentive to the process of meaning construction and more concerned with boundaries between meanings:

The way in which the word conceptualizes its object is a complex act—all objects, open to dispute and overlain as they are with qualifications, are from one side highlighted while from the other side dimmed by heteroglot social opinion, by an alien word about them. And into this complex play of light and shadow the word enters—it becomes saturated with this play, and must determine within it the boundaries of its own semantic and stylistic contours.

(Bakhtin 1981 [1935]: 276-277)

Here, agency is oddly downplayed, as if the word itself must determine its own boundaries, as if 'this play' is displaced from the social onto the word and the word becomes a surrogate for the social. This displacement is typical of Bakhtin's disguising of political problems as cultural ones under Stalin's rule (Brandist

1996a: 101). The boundaries of meaning are linked to internal resistance:

A conversation with an internally persuasive word that one has begun to resist may continue, but it takes on another character: it is questioned, it is put in a new situation in order to expose its weak sides, to get a feel for its boundaries, to experience it physically as an object.

(Bakhtin 1981 [1935]: 348)

And the boundaries are here subject to re-evaluation.

In his later elaboration of speech genres (1986 [1952-3]), Bakhtin was concerned with the boundaries of an utterance. Utterance here refers to any complete statement, from a single spoken word to a lengthy tome. He argued it “is not a conventional unit, but a real unit, clearly delimited by the change of speaking subjects” (*ibid.*: 71-2). Therefore an utterance is always preceded by utterances to which it responds and is always followed by responsive utterances. Bakhtin saw speech genres as relatively stable types of utterance within specific contexts and for specific purposes, as socially accepted ways of talking or writing about a particular topic with particular addressees in mind:

An essential (constitutive) marker of the utterance is its quality of being directed to someone, its *addressivity*. [...] This addressee can be an immediate participant-interlocutor in an everyday dialogue, a differentiated collective of specialists in some particular area of cultural communication, a more or less differentiated public, ethnic group, contemporaries, like-minded people, opponents and enemies, a subordinate, a superior, someone who is lower, higher, familiar, foreign, and so forth. [...] Both the composition and, particularly, the style of the utterance depend on those to whom the utterance is addressed, how the speaker (or writer) senses or imagines his addressees, and the force of their effect on the utterance. Each speech genre in each area of speech communication has its own typical conception of the addressee, and this defines it as a genre.

(Bakhtin 1986 [1952-3]: 95, author's italics)

Speech genres therefore encode communicative expectations. This makes them an essential factor in understanding relations between language use and social context as conceived by the speaker/writer in question.

In the case of this study, parliamentary protocols constitute an ‘official genre’ in that they exemplify an official encoding of expectations. Conversely, in

the Commons at least, MPs manipulations of the protocols can be seen as an ‘unofficial genre’ which offers greater insight into their evaluations of the struggle over the legislative issue in question.

### **Theoretical Resonances**

Voloshinov’s and Bakhtin’s focus on the dynamic nature of social struggle, located in power differentials between the shared understanding, via language use, of differently situated social groups, is epitomised in both Voloshinov’s concept of official and unofficial ideology and Bakhtin’s concept of centripetal and centrifugal forces. Later social theorists came to similar conclusions. For example Hall’s (1980a: 35-40) dynamic concept of ‘hegemony’, derived from Gramsci’s prison notebooks (translated and published in 1971), emphasises that it is never a permanent situation and remains open to contestation. In fact Hall (1993: 12-18), upholds a debt to Voloshinov’s ‘Marxism and the Philosophy of Language’ over that of Gramsci in expanding the Birmingham Centre for Cultural Studies’ thinking on social struggle beyond the binary of class struggle. A similar idea is evident in Foucault’s (1987: 101) concept of reverse discourse.

In fact the resonance between the Russian scholars and Gramsci goes deeper and is of linguistic as well as political importance. Brandist (2015: 8-12/25-50) shows, via his archive research, that a concept of hegemony was pivotal in Russian Marxism from the late nineteenth century, where it referred to the hoped for ‘power to the working class’, to the ‘hegemony of the proletariat’ which, importantly, was of necessity based on class alliances sufficient to overthrow the Tzarist autocracy. By the 1920s the concept had become a celebrated Bolshevik Party principle, and slogan—‘power to the Soviets’ (*ibid*: 9). Brandist goes on to show, via documents relating to Gramsci’s service on the Comintern’s executive committee in Moscow (1922-3 & 1925), how important the question of language

was in the 1917 aftermath and how ideas about language, culture and hegemony were closely interlinked. In prison, Gramsci was “relatively insulated from the enormous distortions of Stalinist doctrine” (*ibid*: 10) thus, with his knowledge of linguistics from his studies at Turin University under Bartoli, he was able to elaborate the concept of hegemony in a way that had become impossible in the USSR under Stalin. In fact the term disappeared from use in 1930s Russian documents, though the concept can be discerned in coded form in Bakhtin’s (1981 [1935]) essays, especially ‘Discourse and the Novel’ which reproduced the Leningrad scholars’ ideas in coded form. After 1932, the Soviet linguists’ work on social dialects was excluded and Russian was imposed as the compulsory national language for all: the 1920s Bolshevik egalitarian hegemony was reversed and inverted. Brandist (1996b: 73) concludes that both Bakhtin and Gramsci show that “the concept of the vanguard party need not be synonymous with authoritarianism and, indeed, can be its antithesis” (see also Brandist 1996a).

Brandist (2015: 1-8) also argues that post-1970s appropriations of the term ‘hegemony’ in the West, through the translations of Gramsci’s notebooks, progressively loosened it from his “painstaking analyses of the shifting relations between class forces” (*ibid*: 4) and serially bypassed his attention to language in the process. Brandist outlines shifts in the term’s usage in cultural studies, post-colonialism and post-structuralism respectively in discussing the appropriations of Williams (1977), Said (1985), the Birmingham Centre for Cultural Studies under Hall, and Laclau & Mouffe (1985). He sees the term’s use as a category for general cultural analysis on ideological grounds as severing Gramsci’s discussion “from its historical moorings” (*ibid*: 5) and separating it from Marxism, a process compounded by some post-structuralist thinkers’ “discussions of the relationship between culture and imperialism” (*ibid*: 7). The use of ‘hegemony’ as a synonym for imperialism is noted by Williams (1976) in his discussion of the term—along with ‘superpower politics’. These shifts in the term’s use say something about

influences operative in Western academic culture during the Cold War. The term's appropriations and mutations also clearly illustrate a basic premise of Voloshinov's and Bakhtin's thinking: that the shifting relations of political struggle between social groups are ongoing and rooted in dialogic—whether external or internal—language use.

### **Conclusion**

If, as Voloshinov and Bakhtin argued, language use is always evaluative and is appropriated by exposure to 'voices' and 'words' deemed authoritative or convincing by the listener/reader, then language use is the primary means by which prejudiced beliefs are acquired, passed on, and institutionalised in laws and social habits. These in turn create social expectations, which may lead to social struggle when challenged. However, while their ideas underpin this study, they offer no systematic procedures for analysing stretches of language. This is addressed in Chapter 4.



## Chapter 4: Method

### Reading the Signs: Baker, van Dijk and Wodak

Operationalising the ideas of Voloshinov and Bakhtin requires methods focused on the evaluative nature of language use within specific socio-political and historical contexts. A combination of Critical Discourse Analysis (CDA) and Corpus Linguistics (CL) is ideal. CL techniques can identify prevalent language items and their evaluative associations with the speaker group(s) from which the corpus was compiled. CDA considers the socio-political and historical contexts of the arguments in which the language items in question occurred. It thus offers ways to identify ideological stances, taken-for-granted beliefs and historical links. CDA is more a linguistic approach to social critique than a method, in which ‘critical’ is seen as making one’s own, as well as others’, ideological stance clear. Showing how powerful social beliefs are enacted, maintained and resisted via language used in specific contexts are its concerns. It has no fixed procedure, but includes a range of analytical categories via which the language in question may be interrogated. Thus CL techniques, as particular means of language interrogation, may be seen as categories within the broader concerns of CDA.

This chapter selects analytical categories from the work of three critical discourse analysts: Paul Baker, Teun van Dijk and Ruth Wodak. It outlines their approaches to CDA in turn and shows how they relate to the ideas of Voloshinov and Bakhtin. The final section sets out the study’s analytical procedures.

Baker, van Dijk and Wodak were chosen for their experience in analysing institutionalised prejudices in political, media and parliamentary contexts, notably: homophobia and gender boundaries (Baker 2004a; 2004b; 2005; 2008; 2014), racism (van Dijk 1991; 1993; 1999; 2001; 2004; 2006a; 2008; Wodak

1996; 2000; 2008) and anti-Semitism (Wodak 1991; 1997; 2003a; 2003b; 2006a; 2006b; 2007). Collectively, their working definitions, with the ideas of Voloshinov and Bakhtin (Appendix 4) show varying degrees of structural/non-structural organisation. Those of Voloshinov, Bakhtin and Baker are less structural, van Dijk's are relatively structural in his compartmentalisation of categories, while Wodak's fall somewhere between this artificial polarisation. As Hall (1981) argued in his 'Cultural studies: two paradigms' essay, neither is sufficient, but both have something to offer. This bridging of poles and the linguists' distinct approaches to CDA also offer a useful means of triangulation (Baker *et al* 2008).

### **Frequencies and Associations**

Corpus techniques are a useful starting point for analysis because they can quickly identify salient features of large texts, though detailed analysis takes much longer. Baker's work is especially relevant to this study. Homophobia is a recurring theme in his book on public representations of gay men (2005) and a residual feature of his book on gender and sexuality (2008). His theoretical perspective also concurs with that of Voloshinov and Bakhtin. He sees language use as derived from both conscious and unconscious assimilation of language patterns, along with the discourses they construct and maintain via repetition (2006: 13-15). This extends Hoey's (2005) work on lexical priming to foreground evaluations as common-sense views of life. 'Discourses' here refers to the varied and competing ways language users construct aspects of the 'world' in which they live. It thus includes the flux of contemporary inconsistencies in how events, ideas, objects, people, practices and situations may be represented in everyday contexts. It focuses on the situated specificity of language use. As in Voloshinov's view (2012: 161-8), this locates the habits of interaction within speakers' taken-for-granted expectations of a given time and place.

Baker (2006: 47-8) argues that as words are combined in predictable ways, language users have limited choices at any communicative juncture. Choices are limited by the habits and rules of a language, by the communicative context, and by speaker/writer repertoire which relates to his/her identity and viewpoint as well as language experience. He stresses, it is the tension between rules and choices that makes the frequency and proximity of particular words important. Inevitably, where choices exist within both language and speaker/writer repertoire, they are evaluative. In addition, Baker (2008: 95) argues, it is the frequency of patterns and associations in a corpus that shows evaluative meanings are socially shared.

Using corpus methods to analyse discourse has advantages (Baker 2006: 10-17). The main advantage is that they reduce researcher bias by verifying or dispelling intuition and suggesting unanticipated typicalities. They can also identify changing frequencies and associations across time and reveal patterns beyond conscious awareness. Recurrent associations may indicate the presence of an underlying discourse. In studies of prejudice, the frequency of negative associations with specific groups of people enables the identification of socially shared constructions. Baker suggests five criteria for deciding whether negative representations of a particular group constitute an unacceptable bias on the part of the speakers and/or writers from whose words a corpus was compiled:

1. The cumulative frequency of the negative representations as a proportion of the total representations.
  2. The proportional frequencies of negative and positive representations and the imbalance between them.
  3. The social group under consideration depending on such criteria as social vulnerability, minority status, social power, or a history of prejudice and discrimination.
  4. The strength of the negativity depending on judgments of negativity and considerations of collective effect.
  5. The context of the representations depending on the power and influence of the speakers or writers and whether the representations reach large numbers of people.
- (summarised from Baker 2012: 254-255)

However, as he points out (*ibid*), researchers may disagree about what frequency levels are significant and/or the criteria for these considerations. They are thus a matter of researcher judgment.

Corpus methods also have disadvantages (Baker 2006: 17-21), which either qualify the advantages or limit the data usefulness. The main qualification is that the methods can only reduce, not remove, researcher bias. The researcher must decide what is significant and interpretations must be justified. The main limitation is that the data is decontextualised; it excludes the visual presentation of texts and the prosodic features of speech, both of which have semiotic import. It may also obscure speaker/writer identity, his/her social or institutional power and the contexts of language production and reception. It is therefore important to document data sources, communicative contexts and speaker/writer identity. In addition, a corpus contains only what was said when what was not said may be equally important. Features such as presuppositions may only be identified via close qualitative analysis. To complicate matters further, meanings may be contextually specific and/or individualised. Participants may have used and/or understood the patterns found in different ways. As Voloshinov argued (2012: 162-4), understanding depends on the extent to which the assumptions of a given social purview are shared within a given pragmatic situation. Interpreting corpus data requires care. Baker (2006: 21) advises, “other forms of analysis should be used in conjunction with” it.

The four basic data forms in a corpus analysis are: wordlists, keywords, concordance lines and collocates. In practice, they are used interactively. Where a corpus has been built from a specific source for targeted analysis, a word-frequency list allows quick identification of its main focus. Where the opposing sides of a debate are being compared, as in this study, the wordlists for each side point to basic similarities and differences between them. Keywords take this a stage further by identifying statistically significant word frequencies on each side

of a debate. In line with Voloshinov's (2012: 162-4) thinking, keywords offer an empirical means to identify differences in the words used by two groups of speakers. As Baker (2004: 348) notes, they are thus a "rapid and useful way of directing researchers to elements in each corpus that are unusually frequent [prior to] more complex linguistic analysis".

WordSmith 5 (Scott 2010) gives each keyword a measure of keyness, a statistical measure of word saliency relative to the size of each corpus, and offers either a chi-squared or log-likelihood test to obtain a probability value (p-value). The lower the p-value the more likely a keyword is due to speakers' "(conscious or subconscious) choice to use that word repeatedly" (Baker 2006: 125). As word order is not random but determined by language habit, Baker suggests using log-likelihood, which uses a log-normal distribution and allows for this (*ibid*: 126). While  $p < 0.05$  is the minimum level of significance in social and psychological research, keywords need a lower p-value to make their number manageable. WordSmith 5 uses a default value of  $p < 0.001$  which can be adjusted according to corpus size. This study uses log-likelihood set at  $p < 0.01$  for the single debate analyses (Chapters 5-10) and  $p < 0.001$  for the corpora analyses (Chapter 11). The researcher must also decide how many keywords to investigate and stick to the decided cut-off point. This study investigates each side's top 10 keywords (Chapters 5-10) and keyword/sexuality-term collocates (Chapter 11).

Statistically significant keywords may not be equally useful. For example proper nouns may reveal limited information and grammar words may only aid the location of features such as concessions or claims of common ground. It is lexical words that are more likely to signpost shared evaluations and warrant further investigation via a concordance and collocate analysis. Concordance lines list all examples of a target word or phrase within their immediate co-text which show how the word was used, though it may be necessary to refer to the wider co-text to identify reports and these may need to be considered separately in the

analysis. This study uses AntConc (Anthony 2006) to compute concordances; unlike WordSmith it is Mac-compatible which eases frequent spot-checks. Where a large number of lines makes checking associations impractical, a collocation and collocate analysis can identify notable associations, for which concordances can then be made. Collocations are habitually adjacent words with established reference. In this study for example, *lesbian and gay* was habitually used in the 1980s by speakers familiar with lesbian and gay politics. Collocates co-occur with greater disparity and openendedness. Thus Baker (2006: 87) argues, they relate more strongly to the language user's choice and evaluation. In line with Bakhtin's (1981: 293-4) thinking, they offer insight into the evaluative aspects of speakers' language appropriation and conversely, the non-appropriation of terms used by others with different associations.

On WordSmith 5 (Scott 2010), a collocate chart can be calculated for a selected number of words either side of a target word or collocation. It offers a choice of statistical tests which measure the frequency of words in the corpus against their relative co-occurrence according to corpus size. All tests involve a "trade-off between frequency and saliency" (Baker 2006: 102). Tests geared to frequency tend to highlight grammar words, while those geared to saliency tend to highlight lexical words. This study uses Z-score, which tends to highlight lexical words, set at five words each side of the target with a stop at paragraph breaks. Collocates are useful in studies of prejudice, but the varied ways people may be referred to, including metaphors and pronouns which cannot be searched for directly, make associations more difficult to identify.

Baker's studies exemplify the use of CL techniques in discourse analysis, but his analyses are only partly quantitative. He stresses that researcher choices are required at every stage and must be justified. The techniques point only to recurrent patterns, whereas discourses are identified via interpretation. As no interpretation is finite, all raw data must be included in appendices. He advises

that corpus techniques “should not replace other forms of close human analysis, but act in tandem with them” (2006: 183). In this study, the CDA approaches of van Dijk and Wodak complement the corpus techniques.

### **Mind and Memory**

Over the past thirty years, van Dijk has undertaken extensive discourse research on racism. His approach is built round a socio-cognitive interface that mediates between discourse and society via mental models: specifically ‘context models’ and ‘event models’. The former relate to speaker/writer interpretation of the communicative situation and link language use to context (2008: 167). The latter relate to speaker/writer understanding of the topic in question and link language use to knowledge and ideology (2009: 77). Importantly, he sees these models as formed by social experience in which the workings of memory play a central part. Thus his approach offers a bridge between the cognitive and social aspects of language reception and production. As such, his models can be seen as relatively automatic and dynamic moderators of genre and topic within and between contexts. However, he emphasises, it is the language user’s subjective interpretation of context and topic, based on previous experience, that defines language production and understanding (2008: 165-6). The same situation may be interpreted in very different ways by different people.

[C]ontexts can only influence what people say or understand when defined in terms of subjective, participant constructs. *It is not the social or political situation itself that influences text or talk, but rather the way that individual participants represent, understand or otherwise construct the now-for them-relevant properties of such a situation.* Thus, contexts are not objective, or ‘out there’, but subjective constructs of participants. (van Dijk 2008a: 188, author’s italics)

This concurs with Voloshinov’s (2012: 162-4) emphasis on speaker/listener assumptions based on social experience in any given communicative situation.

Van Dijk sees mental models as particularly relevant to the analysis of political discourse genres. Discourse here refers simply to interactive language use, spoken or written (2008: 104). In parliamentary debates, the introduction to a speech sets out the speaker's models of both context and debate topic. How these are defined sets the speaker's agenda and makes "policy understandable, reasonable and legitimate" (*ibid.*: 191). Speakers' context models are evident in references to the place and time of debate and to other participants, as well as in ritual procedures, lexical style and register, while their event models are evident in their evaluations of the legislative issue in question. Both are drawn from habitually reconstructed knowledge in long-term memory. He argues (2006b: 164), "without such (mutual) knowledge, the participants would not know what to do, what to say or understand what is going on". As Bakhtin (1986: 80) points out, competence in a language does not equip a person to function in unfamiliar speech genres. Van Dijk (2006b: 167) also argues, that "besides the contextual definition of the current political situation [speakers] need vast amounts of (social and political) knowledge". Knowledge here refers to factually held belief verified by historically and culturally variable means: what is taken-for-granted as true by a society at a given time (2008: 170-1).

A distinction between the above definition of knowledge and ideology is key in van Dijk's approach. He defines ideology as collectively held beliefs which specify a group's identity, values and aims as distinct from those of other groups (2006a: 118): who we are (or are not), what we think, what we want and why (2009: 79). Ideology is here akin to class (or group) consciousness. Ideological aims may range from social control to social change, from maintaining privilege to resisting oppression (2001: 14). Thus these interest-dependent constructions of social conditions have varying degrees of social influence (2008: 35). Van Dijk (2001: 15) argues, the "power and prestige of each group will also carry over to the power and legitimacy of their beliefs and what beliefs count as knowledge in



society at large". Thus it is 'knowledge' he links to social power, but its status is unstable. Knowledge begins to lose its taken-for-granted status when challenged from within a society (2006a: 131). Conversely, the interest-dependent beliefs of social groups cease to be ideologies if they become assimilated into a society's common-ground knowledge and widely accepted as true (2006a: 117). The two are thus in a constant state of dynamic tension akin to that between Bakhtin's (1981: 217-2) centripetal and centrifugal forces.

In political debates, van Dijk (2008: 170-1) argues that, as what speakers assume to be common-ground knowledge does not need to be mentioned, claims of common ground need to be seen as rhetorical strategies intended to persuade. Common ground may be claimed by the use of a generalised *we*, *our* or *us*, the persons referred to being decided by the co-text. Similarly, phrases such as *everyone knows* or *most people agree* claim a majority position. Asking what or whose interests such claims serve is a good starting point for unravelling their ideological stance. Presupposed knowledge must be gleaned from what is said. He advises noting: how speakers define the situation; how they positively present themselves and their views; how they negatively present others and their views; what use they make of rhetorical ploys such as repetition, claiming consensus, citing statistics or authoritative sources (2008: 191-210). Even so, he warns, "discourse is not always ideologically transparent, and discourse analysis does not always allow us to infer what people's ideological beliefs are" (2001: 124).

Van Dijk sees prejudices in terms of both knowledge and ideology. They may be the taken-for-granted knowledge of a society about groups or societies to which holders of the knowledge do not belong. An example related to this study is that even after reforms in many countries, heterosexuality is still taken for granted; many heterosexuals still assume people are heterosexual unless told otherwise. Reverse the assumption and it invariably requires denial and may be seen as an insult, thus assumptions of heterosexuality imply a value judgment.

Prejudices may also be actively pursued beliefs about a society or group. The violent attacks on Gay Pride marches by neo-fascist groups in Russia, or the hateful placards of Christian Voice at London Pride in recent years, come into this category. Whether prejudices are taken for granted or actively pursued, van Dijk (2008: 103) views them as socially shared representations of ‘others’ to which polarised values are attached: values into which groups or societies have been socialised via social interaction, which in turn passes them on.

The main category for analysing prejudice is how people are talked about. Van Dijk (2006a: 126) argues, “if ideologies are organized by well-known ingroup-outgroup polarization, then we may expect such a polarization also to be ‘coded’ in talk and text”. Polarisation may be evident in pronoun use (*us/them, we/they*), possessives (*our/their*), or demonstratives (*this/that, these/those*) where the latter term in each pair signals distance. Other categories are: lexical choice and/or topic selection negatively associated with the group in question; negative attributions of agency and/or responsibility; selective uses of generalisation and/or specific detail; uses of euphemism, hyperbole, irony, metaphor or metonymy; interactional features such as sidestepping questions or interruptions (2008: 104-5). Polarisation is also evident in forms of disclaiming, that is where a speaker’s face-saving statement is linked to a negative statement about the group in question. On the disclaiming of racism van Dijk (rather unsubtly) suggests seven categories:

*apparent denial*: We have nothing against blacks, but...  
*apparent concession*: Some of them are smart, but in general...  
*apparent empathy*: Of course refugees have had problems, but...  
*apparent ignorance*: I don’t know, but...  
*apparent excuses*: Sorry, but...  
*reversal (blaming the victim)*: Not they, but we are the real victims...  
*transfer*: I don’t mind, but my clients...  
 (van Dijk 2008a: 109-110, author’s italics)

He sees this polarising principle of positive self-presentation and negative other-

presentation as the basic strategy of all prejudiced talk and text (2006a: 126).

Van Dijk's studies of racism focus on exposing such polarisation, but as he acknowledges, expressions of it may be very subtle, especially in the case of parliamentary discourse (1997: 62). He warns, "no discourse structure uniquely codes for one communicative and interactional function" (2006a: 127). Function must be considered in terms of who is speaking to whom, in what role, where and when, as well as by reference to the co-text. As Voloshinov (1986: 102-3) argued, meaning is situation and participant specific as well as extra to the reproducible meaning of the words used.

### **History and Heritage**

Wodak and her colleagues developed the discourse-historical approach (DHA) in an analysis of the anti-Semitism that re-surfaced in Austria during the 1986 presidential campaign of Kurt Waldheim (Wodak *et al* 1990). The study sought to integrate "all available background information into the analysis and interpretation of many layers of a text [and] to trace in detail the constitution of an anti-Semitic stereotyped image" (Mitten & Wodak 1993: 205-6).

Wodak (2007: 219) argues "the analysis of [prejudiced] discourses needs a very precise definition of differing layers of context". 'Discourses' here refer to mutating clusters of topic-related language acts which span the contexts of their occurrence and which are socially constituted by, and in turn constitute, strands of common-sense knowledge or shared truth (Reisigl & Wodak 2009: 89-90). DHA considers four layers of context: first, the co-text of specific language items; second, the relation of the text and its discourses to other texts and discourses; third, the socio-political variables and institutions that frame the texts and discourses; fourth, the wider socio-political and historical contexts in which the discourses are embedded (*ibid*: 93). In this study, these layers of context are:

first, the transcript of a parliamentary debate; second, references cited in the debate, plus related debates and press reports; third, parliamentary protocols, plus the legislative agendas of both government and interest groups; fourth, the legislative history of same-sex sex and its heritage of homophobic beliefs.

These layers of context allow institutionalised prejudice to be documented across time via intertextual traces of knowledge and experience (Wodak 2006a: 184). Evocations of internalised beliefs and stereotypes stored in long-term memory are therefore central to their manifestations. Unlike van Dijk, Wodak's focus on is the political exploitation of memory rather than its structures and workings; she cites the calculated evocation of prejudice and stereotypes to gain votes as an example (2007: 205/208). She sees memory as both individual and collective (2006b: 127). A child grows up surrounded by adult memories of earlier pasts. People continually learn from the memories of others. Thus an individual memory is repeatedly informed by the accounts and views of others (*ibid*: 130). This corresponds to Voloshinov's (1986: 11) concept of collective consciousness within a social group. Wodak (2006a: 185) argues that anti-Semitic folklore is passed from generation to generation and stored as common-sense knowledge.

However, because of the taboo on explicit anti-Semitic utterances in public domains, specifically in official political discourses, a different—coded—mode of expressing anti-Semitic prejudices and stereotypes was created after 1945, which was analyzed in detail elsewhere [...] and labelled as 'discourses of silence'. This means that anti-Semitic contents can only be *inferred* by listeners/viewers/readers who know the background and also the genesis of such allusions/insinuations or presuppositions. The listeners/viewers/readers have acquired the necessary knowledge *through collective memories or narratives handed down through generations*.

(Wodak 2007: 208, author's italics)

That a similar if less profound taboo has begun to apply to overt homophobia in parliamentary debates, albeit with patchy effect, makes Wodak's focus on coded language and latent meaning particularly relevant to this study. Her work shows how "an amalgam of ideological tenets is invoked by linguistic clues and traces,

in order to elicit a particular set of beliefs” (2007: 213). Such clues and traces are identified via exploration of intertextual links, utilising cross-references to a specific person, group, event, text, topic, time, place, or the use of specific terms, such as those related to sexuality in this study.

Like van Dijk, Wodak sees the discursive construction of *us* and *them* as the basis of prejudiced discourses. Accordingly, she (2003: 139) proposes five analytical categories for detecting positive-self and negative-other representation: nomination, predication, argumentation, perspectivisation and modification. The first two categories focus on how people are represented, the last three on speaker/writer perspective.

Nomination covers the ways people are referred to in a text. For example by name (formal or informal), by deictics (such as pronouns), by social category (such as a role or a job), by metaphorical label, or by a collective term for the group to which the people in question are seen to belong. Wodak also discusses wordplay in this category. Playing with and distorting names “has to be seen as denying and threatening the identity of a specific person” (2007: 214).

Predication covers the ways people are described. This category includes adjectives, attributions, collocations, similes, comparatives, stereotypes and all forms of metaphorical association. Wodak (2007: 212) stresses the importance of allusions, in that negative meaning can be disowned by their use. They tap into specific repertoires of presupposed knowledge, without which only the literal meaning survives. If challenged, the speaker can affirm the literal meaning. If understood, they can trigger assent without much critical attention.

Argumentation covers the strategies a speaker/writer uses to present, and legitimate his/her views, or to challenge the views of others. It includes claims of truth and moral claims of rightness or wrongness, plus the assumptions they rest on and any evidence used to support them, such as an authoritative source. Claims may include sophistry, accusations, vagueness, or emotive appeals. Once

identified, they need to be examined for fallacies and inconsistencies.

Perspectivisation covers speaker/writer views to which intertextual traces can provide important clues. This category includes the way speech, texts or events are reported, for example by the choice of reporting verbs, and/or choice of quotations, references, examples, or anecdotes. The Waldheim study showed how “important terms were recontextualized [and] how their explicit racist/anti-Semitic meanings turned into easily understandable insinuations due to the collective knowledge of the speakers/readers/listeners” (Wodak 2006a: 184).

Modification covers the degree to which points are intensified, qualified or mitigated “according to historical conventions, public levels of tolerance, political correctness [and] the specific context” (Wodak 2008: 295). It also covers the degree of certainty with which statements are made. Forms of emphasising, disclaiming and modality are central to this category of analysis.

Ultimately, Wodak’s view of institutionalised prejudices is bleak. She sees them as complex and enduring phenomena in that new experience is habitually interpreted via an individual’s existing schema:

[I]f belief systems are cognitively and emotionally deeply embedded and also have historical roots, a change of frames—should this be more than a superficial change of language—turns out to be very difficult. Whole belief systems and ideologies would need to be reformulated and substituted by others. [...] such changes—if possible at all—would take a long time and would need to produce some kind of deep insights (‘catharsis’) which would allow substituting certain mental representations and long-stored event models by new ones.

(Wodak 2006a: 185)

Wodak’s reservation is apt, but this study takes a more fluid and incremental approach to social change. It sees the push and pull of different interest groups in contemporary societies as in a state of perpetual flux. The ebbs and flows of homophobia may well endure and remain open to political exploitation, but its taken-for-grantedness has shifted. Sexuality has become a site of struggle within and between countries largely because of the collective activism of LGBT people

in many and varied contexts, locally, nationally and internationally, over the past 45 years. There are backlashes, but they now face opposition. As Voloshinov (2012: 146) argued, where the whole group engages in a struggle with official ideology “it has a chance of a future and perhaps even a victorious future”.

### **Analytical Procedure**

The approaches outlined above have been incorporated into a four-stage analytical procedure for each of the six debates selected for qualitative analysis (Chapters 5-10). The stages relate broadly to Wodak’s four levels of context following the triangulatory approach of DHA (Reisigl & Wodak 2009: 89/93).

Stage 1 relates to Wodak’s third level of context and concerns the socio-political variables and institutions framing the debate. It aims to gain an overview of the debate content, its place in the legislative passage of the Bill and the significance of the legislative issue within wider socio-political agendas. Step-by-step details of the procedure for all four stages are in Appendix 5.

Stage 2 utilises Baker’s analytical categories and relates to Wodak’s first level of context concerning the co-text of specific language items. In preparing the corpus data it aims to identify the uses of prominent language items and terms related to sexuality in preparation for more detailed analysis.

Stage 3 utilises Wodak’s and van Dijk’s analytical categories and relates to Wodak’s second level of context concerning the debate’s intra- and intertextual discursive links. It aims to identify polarising strategies, evaluative stances, taken-for-granted beliefs and questionable absences. Where relevant these are related to other documents such as press reports and/or other debates.

Stage 4 relates to Wodak’s fourth level of context and concerns the historical contexts in which the strategies, stances and beliefs are embedded. It aims to assess links between these features and the heritage of homophobic

beliefs passed down and around through the centuries.

Chapters 5-10 each have the following sections: Political Context; Relevant Research (where it exists); The Passage of the Legislation; The Debate; Words and Themes; Views of Sexuality; Associations and Implications; Conclusion.

The more quantitative analyses (Chapter 11) interrogate the lexical choices and associations made by each side during the two periods in question. Together they offer an overview of continuities and changes in views of lesbians and gay men as the legislative landslide progressed. All debates with an above average search-term frequency (Appendix 3) are the basis of eight corpora:

PLG1: Speakers against Clause 28 and for attempted reforms 1986-1996

ALG1: Speakers for Clause 28 and against attempted reforms 1986-1996

PLG2: Speakers supporting reforms 2001-2004

ALG2: Speakers against reforms 2001-2004

PLG1+2: Speakers supporting reforms overall

ALG1+2: Speakers against reforms overall

LG1: All speakers in the first period

LG2: All speakers in the second period

This enables four dimensions of comparison. The comparison of PLG1 and ALG1 reviews the language and associations used for and against lesbians and gay men 1986-1996. The comparison of the PLG2 and ALG2 reviews the language and associations used for and against lesbians and gay men 2001-2004. The comparison of PLG1+2 and ALG1+2 reviews the language and associations used for and against lesbians and gay men overall. The comparison of LG1 and LG2 reviews the language and associations related to lesbians and gay men in each period. As an added triangulation (Baker *et al* 2008), to cross-check the analyses and strengthen the validity of the conclusions, the comparisons are approached differently. Comparisons one and two start from the keyword/sexuality-term collocate themes. Comparisons three and four start from the sexuality terms in their lexical categories: adjectives, nouns for people, and abstract nouns. Step-



by-step details of the analytical procedures for both approaches are in Appendix 6. Chapter 11 examines each of these four comparisons in turn with minimal commentary. The findings are then discussed together in the final section: Continuity and Change.

## **Conclusion**

The more qualitative analyses (Chapters 5-10) allow the language used in each selected debate to be considered in terms of the specific legislative issue and the socio-political struggle that brought it about. The more quantitative analyses (Chapter 11) enable a collective overview of the language used for and against the most contested legislative issues in each period. They thus highlight significant similarities and differences between speaker groups within and between the two periods in question. The first analysis follows in Chapter 5.

## Chapter 5

### Clause 28 (1986-8)

The election of the Thatcher Government in May 1979 brought a decade of polarisation and confrontation between economic libertarianism and job losses, centralised control and local resistance, moral conservatism and social change. The Government prioritised: cutting public expenditure, privatising state-owned industries and services, centralising local government, revising taxation in favour of the wealthy, disenfranchising the trade unions, and expanding the nuclear armoury. Eleven years of protest included: hunger strikes in Northern Ireland, the women's peace camp at Greenham Common, four major riots (St Paul's, Toxteth, Brixton, Broadwater Farm) caused by heavy-handed policing in black communities, and two major strikes (the miners and the print-workers). It ended following the 1990 riot against the Poll Tax, which many people refused to pay.

This chapter outlines the political context of Clause 28 and shows how homophobia was mobilised for political gain. Related research is reviewed from this perspective. A summary of the Clause's parliamentary passage is followed by an account of arguments deployed in the selected debate and two comparisons: one of each side's top-ten keywords and their collocates, the other of each side's sexuality terms and their collocates. A discussion of the findings follows.

#### **Political Context**

Dialogue between lesbian and gay groups and urban Labour councils began in the early 1980s after Ken Livingstone committed the GLC to fighting discrimination in 1981 (Jeffrey-Poulter 1991: 203). Dialogue was strengthened

by Labour Party members who came out to their constituency parties after the scurrilous treatment of Peter Tatchell during the 1983 Bermondsey by-election (Cooper 1992: 27) and by lesbian and gay support for the striking miners during 1984-5 (Kelliher 2014). By 1985, local initiatives were “percolating through to the main body of the party” (Otitoju 1988: 228). That autumn, with NUM support, both the TUC and Labour Party conferences passed resolutions “calling for an end to discrimination in employment and housing, changes in our legal status and further developments in equal opportunities” (Cant 1988: 219). Yet as Tobin (1990: 58) points out, equality policies were largely forced on a reluctant Labour leadership by members who were also feminist, black and/or gay. At the 1986 Labour conference, delegates complained some Labour councils were excluding lesbians and gay men from their equal opportunities policies; a resolution to outlaw discrimination against lesbians and gay men received sufficient majority to become a manifesto commitment (Linton *et al* 1.10.1986).

The propaganda that led to Clause 28 emerged at the 1986 local elections. Two days before polling, the Sun headlined ‘VILE BOOK IN SCHOOL’ (6.5.1986). The book, ‘Jenny Lives with Eric and Martin’, about a girl being brought up by her father and his partner, was described as perverted and available in schools, which it was not. Critical quotes (*ibid*: 2) were followed by one from ILEA’s equal-opportunities officer, described as “gay council boss Bob Crossman”, who defended the book. The next day, a full-page ‘Sun special on tomorrow’s vital polls’ was headed ‘WILL YOU VOTE FOR A LABOUR LOONY?’ (7.5.1986: 9). After highlighting that “control of vast sums of ratepayers money [was] up for grabs”. the article caricatured three Labour candidates and blatantly exploited multiple prejudices. “LOONY 1” was a male-to-female transsexual committed to equal opportunities for women, ethnic minorities, lesbians and gays. “LOONY 2” was the deputy head of a South London comprehensive school and member of the Black Parents Association which was addressing racism in the police and seeking

eviction of racist tenants. “LOONY 3” was an out-of-work Irish father of ten, described as “Guinness supping”, who wanted to start a ratepayers scheme to support unemployed building labourers. Nevertheless, Labour gained control of 16 councils and the Conservatives lost control of 24 (Guardian 10.5.1986).

By the time the Press Council ruled the Sun’s ‘Vile Book’ report inaccurate (Guardian/Times/Sun 3.2.1987), a campaign against it had gained momentum. Baroness Cox raised it in the Lords the day after the original report (7.5.1986 cc. 726-7). Tottenham Conservative Association sent it, with other gay-themed books, to the press that Summer. Haringey Parents Rights Group planned a book burning in September (Reinhold 1994a: 91-2). At the Conservative conference in October, Kenneth Baker, Secretary of State for Education, called it “distorted propaganda” (*ibid*: 97). To this extent Mars-Jones’ (1988) article ‘The Book that Launched Clause 28’ is apt. ‘Jenny Lives with Eric and Martin’ became notorious via the Sun’s report and was deployed to further discredit Labour councils.

The Environment Secretary, Nicholas Ridley, made a searing attack on Labour councils in November (HC 17.11.1986 cc.332-408). Two days later, in a Financial Times interview, Margaret Thatcher claimed two more terms of office would eliminate socialism. She hoped to “get rid of socialism as a second force” in British politics (Owen & Rutherford 19.11.1986). The Conservative chairman, Norman Tebbit, followed up with a dossier. He claimed Labour councils rather than its leadership were “the true face of the modern Labour Party [and rated them] alongside defence as a major weapon with which the Conservatives hope[d] to turn the next election” (McKie 13.12.1986). Parliamentary debates on local government (HC 5.12.1986 cc.1182-1252; HL 4.2.1987 cc.205-301) slated locally-elected Labour councils on such issues as their support for: CND, peace groups, withdrawal from NATO, the ANC, SWAPO, Sinn Fein—and lesbians and gay men. They were cast as socialist, anarchist, anti-police, anti-democratic, Militants, mini-Soviets and Trotskyists bankrupting London with irresponsible

spending. Even in the political climate of the time, this was all-out attack.

A specific target was Haringey's positive-images policy. It had been raised in the Lords (28.7.1986 cc.552-4) and twice reported in the Times (26.6.1986; 29.7.1986). The first attempt to legislate against such policies was the Earl of Halsbury's Local Government Act 1986 (Amendment) Bill, which sought to stop local councils 'promoting homosexuality'. On the day of its second reading (HL 18.12.1986 cc.310-338), the Times published an editorial on parents protesting in Haringey which some speakers cited. The parents were linked to Tottenham Conservative Association (Reinhold 1994a: 140-177) and, as Durham (1989: 68) notes, "local Conservatives were crucial in launching and sustaining the Parents Rights Group". Baroness Cox, who supported the Bill, was "directly involved in the local dispute in Haringey" (Reinhold 1994b: 69). She also belonged to the ultra-right-wing Committee for a Free Britain which went public after the 1987 election. It had undisclosed sources of funding and an agenda to dismantle state control (Milne 23.6.1987/Gunn 23.6.1987). The Committee's chair, David Hart, had been instrumental in breaking the miners strike and was a columnist on the Times. He too was linked to the Parents Rights Group (Reinhold 1994a: 150-1) which had received funds from the Committee (*ibid*: 184). Hart confirmed the Committee's funding policy at its public launch: it "would offer help and money to people fighting the state [or] denied freedom by local authorities" (Durham 1989: 69). Such covert funding of British right-wing groups was known to come from the USA Heritage Foundation since 1982 Conservative alarm at the growth of peace groups and anti-nuclear politics (Gavshon *et al* 29.5.1987). Hart was also funded by Rupert Murdoch for his work on British Briefing, a secretive anti-communist newsletter (McKnight 2012: 99-104).

Even so, Lord Halsbury's Bill was not supported by the Government; the Minister, Lord Skelmersdale, argued it was unworkable and unnecessary in view of existing legislation (18.12.1986 cc.332-337). The Bill completed its passage

through the Lords nonetheless. Jill Knight presented the Bill to the Commons (8.5.1987 cc.997-1014). Rhodes Boyson, Minister for Local Government, put the Government view (cc.1002-5), but voted for the Bill. As the debate had been scheduled for a Friday afternoon with few MPs present, the vote was declared inquorate and the Bill lost. The next week Jill Knight asked the Prime Minister if she would legislate in the next Parliament to “protect children and the concept of the family” (14.5.1987 c.413). Margaret Thatcher congratulated Jill Knight for bringing the Bill and regretted its incomplete passage; she hoped Jill Knight would bring it back. Whatever the Prime Minister’s reasons for this diplomatic avoidance of association with the Bill, the Conservative election campaign, led by Norman Tebbit, mobilised homophobia to undermine support for Labour.

Hodges (6.2.1989: 158) and Smith (1990: 42) recall an election poster featuring books: ‘Young, Gay and Proud’; ‘Police Out of School’; ‘Black Lesbian in White America’; ‘Playbook for Kids about Sex’ (reproduced in Smith 1991: 133). The caption read “Is this Labour’s idea of a comprehensive education?” (Durham 1989: 71). Hodges (*ibid*) also recalls an election broadcast promising control over council spending: the camera followed a hand pouring tea into small white cups each labelled with an area of council spending, as the voice-over urged support, the camera zoomed in on one labelled ‘gay seminar’. Anti-Labour advertisements, mostly on ‘defence’ issues, were placed in the Sun, Times and Evening Standard by the Committee for a Free Britain at a cost of over £210,000. One featured Betty Sheridan of Haringey and read “If you vote Labour they’ll go on teaching my kids about gays and lesbians instead of giving them proper lessons” (see Reinhold 1994b: 65). In a wider analysis of the election, Hall (July 1987: 33) shows how the subliminal themes of race and sex were locked into the discourse of ‘loony left’. A check of ‘loony left’ on Lexis-Nexis shows its frequency peaked in May 1987—a count which excludes the tabloids. The Thatcher Government was re-elected on 11.6.1987 with a reduced but still large majority of 102.

What became Clause 28 was Lord Halsbury's Bill tabled as a backbench amendment to the Local Government 1987 (Amendment) Bill. The only proviso, added by Michael Howard, Minister for Local Government, was that it should not prohibit initiatives for treating or preventing the spread of disease. After heated debates in both Houses, it was enacted with few changes. The Section applied to England, Scotland and Wales, but not Northern Ireland:

28 Prohibition on promoting homosexuality by teaching or publishing material

(1) The following section shall be inserted after section 2 of the [1986 c.10] Local Government Act 1986 (prohibition of political publicity) -

2A Prohibition on promoting homosexuality by teaching or publishing material

(1) A local authority shall not -

(a) intentionally promote homosexuality or publish material with the intention of promoting homosexuality;

(b) promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship.

(2) Nothing in subsection (1) above shall be taken to prohibit the doing of anything for the purpose of treating or preventing the spread of disease.

(3) In any proceedings in connection with the application of this section a court shall draw such inferences as to the intention of the local authority as may reasonably be drawn from the evidence before it.

(4) In subsection (1) (b) above 'maintained school' means -

(a) in England and Wales, a county school, voluntary school, nursery school or special school, within the meaning of the Education Act 1944;

(b) in Scotland, a public school, nursery school or special school, within the meaning of the Education (Scotland) Act 1980

(Local Government Act 1988, c.9, Part IV, Miscellaneous, Section 28)

As all previous legislation on sexuality had applied to sexual acts, Section 28 constituted the first (albeit negative) acknowledgement same-sex relationships in British law. It also "produced an unparalleled mobilisation of lesbian and gay people and almost certainly strengthened the public identities it was designed to delimit" (Weeks 1989a: 304). Numerous campaigns formed in its wake, including Stonewall (1989), Outrage (1990) and Rank Outsiders (1991), plus cases were taken to the British and European courts during the 1990s (Appendix 1). While Section 28 was a catalyst for change, as law it was purely symbolic. From its enactment to its repeal it was never used.

### Relevant Research

Both the enactment and repeal of Section 28 are widely researched. The four studies reviewed here (Weeks 1991b; Reinhold 1994b; Smith 1990; Evans 1989) relate to its enactment and examine its meanings. All four make reference to parliamentary debates, but only Reinhold and Smith do so in any detail.

Weeks (1991b: ch.8) reviews the subterranean existence of unconventional families “in a moral and political climate which gives powerful obeisance to ‘the family’” (*ibid*: 135). He acknowledges that support for lesbian and gay issues was used against ‘loony left’ councils to try and alienate working-class voters, but this is not his focus. His observation that Clause 28 offered a snapshot of the balance between political and moral power in late 1980s Britain is not explored. He examines the moral rather than political agenda of the Conservatives whose actions resulted in the Clause. His starting point is the two key Clause phrases, ‘promoting homosexuality’ and ‘pretended family relationships’. The former he relates to the positive-images policies and the view that homosexuality is not, and cannot be shown as, equal to heterosexuality. Analysis of the parliamentary debates supports this. The latter Weeks relates to alternative relationships that challenged Conservative ideals of ‘the family’. He sees this as key to the whole legislative episode. However, the debates show that the ‘protection’ of children in schools was the focus of Conservative arguments, albeit not all children and not all schools, only those funded by LEAs via the rates. Nor is Weeks’ argument upheld by an electronic word-count of the seven debates devoted to the Clause: 167 mentions of *family* contrast with: *local* 677, *authority(ies)* 631, *school(s)* 303, *children* 270, *education* 194 and *council(s)* 125. Later in his discussion, Weeks cites opinion polls from 1983, 1985 and 1987 showing a slight rise in tolerance of homosexuals, but a sharp rise in hostility towards homosexual relationships



and disapproval of homosexual adoption. He rightly links the hostility to the AIDS panic, but not more widely to the press. In conclusion, he considers the extent to which it is acceptable for the state to legislate on private life. This is an important consideration, but this study shows that the agenda of Clause 28 was much wider than private life.

Reinhold (1994b) focuses on the meanings of 'family' in British society and how homosexuality became constructed as a threat. Although her introduction appears to sideline wider Conservative agendas and conflate rhetoric with policy, she offers important contextual information. She illustrates her argument with a scurrilous Tottenham Conservative Association leaflet and the Betty Sheridan advertisement (*ibid*: 64 & 65). The leaflet was distributed in Haringey at the 1986 local election. Labour won in Haringey, but as Reinhold notes, the "local conflict opened up a window of opportunity for a Conservative Party hostile to local government" (*ibid*: 62). She argues, the campaign against positive images showed that 'family' had become a contested concept, and cites Commons debates on the Lords' 1986 Education (No.2) Bill in support. Debates on sex education before the summer recess concerned single-parent families, contraception, teenage sex, marriage and divorce. In the October debates, when positive images had become a dominant issue, definitions of family had shifted: sex education had become tied to homosexuality such that 'family' now included pre-recess "less than ideal families by default" (*ibid*: 68). Reinhold's additional reference to the very wide definition of family in the 1980 Housing Act, suggests definitions of family were a matter of political expedience. She then examines inconsistencies in Conservative arguments to show how "tenuous the ideological logic of the family actually is" (*ibid*: 70). Her final section cites a string of references which conflate family, society and nation which expose the term's symbolic power. "The family was seen in these debates as the strength—or potential weakness—of the nation." (*ibid*: 76). In "a nation of free people" (*ibid*), it was viewed as "the supreme guarantor of

nation and society [and] freedom as well" (*ibid.*: 77). "If the ideal family is under attack, then the contemporary forms of society, nation and freedom are under attack" (*ibid.*). This is classic Cold-War rhetoric, the relevance of which is not pursued. Reinhold (1994a: ch.9) does take this theme further, but only as far as the Burgess and Maclean defections and attendant beliefs about security risk. She notes the 1980s fears of communist infiltration, but does not relate them to President Reagan's push to 'win' the Cold War, or David Hart's links to the CIA and Murdoch (Rose 17.12.1988/9.12.1990/23.12.1990; Norton-Taylor & Rose 14.12.1989; Norton-Taylor 10.12.1990; Milne 1994: 270-3).

Smith (1990) uses the parliamentary debates on Clause 28 to explore 'New Right' discourse, though her use of 'discourse' is undefined. Her article outlines the history of the Clause and identifies the claimed promotion of homosexuality as enabling the Government to further limit local-council autonomy. She sees the claim as a deployment of "strategic anti-gayness" (*ibid.*: 43) rather than mobilised homophobia, based on a definition of homophobia as irrational fear rather than socialised beliefs. Her analysis begins with truth claims: that a campaign to promote homosexuality existed, that it was subversive and dangerous, that it was upheld by the circulation of books, that public opinion wanted prohibitive legislation. She asks why these claims gained credibility, but overlooks the role of the press. In exploring why anxiety about homosexuality was so pervasive, she links the AIDS panic to other contemporary fears about immigrant populations and communist infiltration, marked by Mrs Thatcher as the 'enemy within'. She then notes incongruities in pro-Clause arguments: that 'natural' heterosexuality does not develop naturally so must be protected from homosexuality; that for heterosexuality to be defined as 'normal' "depends on an ever-present threat from the not-normal" (*ibid.*: 49). This shifts her analysis to a framework informed by Žižek and Lacan, with Derrida's concept of 'différance' at its centre. From this point, the personas of the closeted 'good homosexual' and the uncontained gay

activist, the ‘invader/seducer/pretender’, populate a divide and rule argument. Smith argues that the closeted homosexual “does not disrupt the social order, but must be included [in it] for strategic purposes” (*ibid*: 50). This ‘imaginary’ inclusion, which recurs as a trope in her later work (1991; 1994a; 1994b; 1997), is not supported by this study. The empirical analysis in this chapter shows the clinical terms (*homosexual/homosexuals/homosexuality*) were most negatively associated by pro-Clause speakers. In fact these terms were more negatively associated than *gay* on both sides of all debates analysed in this study, but while supportive speakers located the negativity in society, unsupportive speakers linked it, directly or indirectly, to (homo)sexual acts, a finding that concurs with that of Baker (2004b/2005: Ch.2). This positions the clinical terms within the heritage of sin, crime and pathology from which *gay* was dissociated. Smith devotes a later section to why arguments against the Clause failed and selects three factors: failure to confront the ‘loony-left’ charge, an equivocal position on the Clause, and the idea that promotion is impossible as sexuality is fixed early in life. This inflates the importance of the arguments used. The Government had a large majority and powerful beliefs had been mobilised. Ultimately, she fails to ground her analysis in the aspects of political context she initially identifies.

In a fully contextualised article, Evans (1989) addresses the complexities of Section 28. He begins by arguing: firstly, that the Conservative concern with moral decline, which had AIDS and homosexuality at its centre, was influenced by exaggerated and inaccurate media coverage; secondly, that the conditions set by 1967 Sexual Offences Act, awarded homosexuality an unequal status (*ibid*: 75). The main sections of his article review the legal, ideological and paradoxical complexities of Section 28 in turn. He identifies five weaknesses in law: it applied only to local authorities; the words ‘intentionally’, ‘promote’ and ‘homosexuality’ require interpretation; its censoring of family relationships rivaled moral rhetoric on the spread of AIDS; the 1986 Education (No.2) Act had shifted responsibility

for sex education from LEAs to school governors; the cost of taking a case to court would be prohibitive. Though as he notes, these factors did not prevent a succession of self-censoring decisions by councils fearing prosecution. The ideological myths Evans identifies concern ‘the family’, ‘the homosexual’ and ‘the bureaucratised intelligentsia’. Like Weeks, he sees ‘the family’ as the ideological core of the Section, but for political rather than moral reasons. He argues the ‘New Right’ view of ‘the family’ as the ‘natural’ economic unit weakened by state provision, made it a defence against socialism; thus the myth of the beleaguered family amid moral decline became “an instrument of social policy” (*ibid*: 84). About ‘the homosexual’, he argues that in an increasingly sexualised culture, fear of AIDS transmuted into moral imperatives; homosexuality was constructed as a disease of lifestyle and required separation from the ‘natural’ family. Thus, the ‘bureaucratised intelligentsia’, such as teachers or local-authority officials, became seen as a threat to parental authority and were cast as “purveyors of homosexual propaganda” (*ibid*: 86). Evans’ final section highlights a string of ironies. The most salient are: that while the Section defended an idealised family, its inclusion of ‘pretended’ acknowledged that not all families conform to the ideal; that while the Section was intended to obstruct lesbian and gay politics, it had the reverse effect; that while the 1967 Act stressed privacy, during the AIDS panic even private homosexual behaviour was seen as a threat; that ‘natural’ heterosexuality needed protection, but ‘unnatural’ homosexuality could convert. Finally, the relational form of ‘pretended family’ contradicted “the stockpile of cultural meanings which present homosexuality as a pathological perversion” (90). He concludes that the Section failed as both law and myth. “In a sense, the government could hardly have done more to promote homosexuality if it had set Haringey up as a moral council” (*ibid*: 91).

These reviews contribute to an understanding of factors relevant to the enactment of Section 28, but throw selective light on the wider political struggles

that contextualised it. Conflicts between central and local government, between reactionary Conservatism and reformist Labour, between the forces of social control and social change, and the tensions inherent in the final throes of the Cold War all played a part.

### **The Passage of the Clause**

The Local Government Act 1987 (Amendment) Bill was the 45th piece of legislation on local government since 1979. It required councils to put service contracts out to competitive tender instead of giving them to council employees and banned non-commercial considerations, such as boycotting companies involved in the arms trade, the nuclear industry, or apartheid South Africa. It also banned councils from publicising support for political campaigns.

The amendment that became Clause 28 was introduced by David Wilshire (HC Standing Committee A 8.12.1987) armed with a dossier containing extracts from books and council advertisements for lesbian and gay officers. He linked a gay teachers' group to paedophile activity (c.1203), construed positive images as promotion (c.1204) and claimed millions of pounds were involved (c.1205). Jack Cunningham, Shadow Minister for Local Government, was taken in. In his haste to distance Labour from the insinuations, he supported the amendment (c.1211). Had he waited, Michael Brown and Simon Hughes might not have equivocated, Allan Roberts might have been stronger and Bernie Grant supported. Bernie Grant declared the Government was "being stampeded by a bunch of loony, rabid, Right-wing fanatics" (c.1226). The amendment was included in the Bill without a vote.

The Clause served multiple Conservative agendas. Durham (1989: 59) argues that sexual morality was peripheral to Thatcherism, that there was "a vast gap between rhetoric and policy" (*ibid*: 70). Weeks too (2007: 96) identifies

the Government's main agenda as economic liberalism and privatisation. Yet a moralising faction, the Conservative Family Campaign, formed prior to the 1986 local elections, "claimed 30 groups across the country and 24 MPs" (Reinhold 1994a: 96). That the Clause targeted Labour councils was expedient: it weakened the strongest opposition to government policies, justified further restriction of council budgets, contributed to the dismantling of what was seen as socialism, and facilitated the dominance of capitalism in the final throes of the Cold War. It was also a concession to moralising factions in the Conservative Party.

Opposition amendments to what was at that stage Clause 27, were debated at the Report stage of the Bill (HC 15.12.1987). This debate is analysed in full below. Three amendments were each defeated by over 100 votes. The Bill's third reading followed, during which the Speaker suspended the hearing to have the public gallery cleared. The Bill was passed by 308 to 215 votes. However, it was the clearing of the gallery that made the next day's headlines (16.12.1987): "Screaming gays bring Commons to a halt" (Sun) and "Commons suspended in 'gay rights' row" (Daily Telegraph). In reporting campaigns forming against the Clause, Pink Paper (17.12.1987) pinned lesbian and gay hopes on the Lords, which had voted against the Government 186 times since 1979.

In the Lords, the Bill's second reading lasted six hours (11.1.1988 cc.947-1033). Twelve of the 20 Lords who spoke defended local councils and disputed sundry aspects of the Bill, including Clause 28. By then, anti-Clause campaigns included the Arts Council, theatres, galleries, museums, libraries, publishers, voluntary organisations and the NCCL, as well as local councils and lesbian and gay groups. A 'Stop the Clause' benefit was held at the Playhouse Theatre in London (de Jongh 26.1.1988). Fearing defeat, the Government acknowledged concern about arts censorship and tabled two amendments for the Lords. One required promotion to be intentional; the other placed the inference of intention with the courts. An article in The Observer (Smart 31.1.1988) reported Viscount

Falkland, on behalf of the Arts Council, as saying that the amendment did “not meet [their] concerns at all” and more worryingly that there were “several well-funded extremist groups, financed from the United States, waiting for a chance to exploit Clause 28”. The article also reported that the Conservative Family Campaign was confident the Clause would be passed.

The Lords Committee took up eight sessions. In the first of three sessions devoted to the Clause (1.2.1988 cc.864-899), Viscount Falkland’s Arts Council amendment sought to limit prohibition to materials representing “homosexual relationships or homosexual acts as being more acceptable than heterosexual relationships or acts [excluding works with] artistic, scientific or educational purpose” (cc.864-5). It was defeated by 166 to 111 votes. *Pink Paper* (4.2.1988) reported Jill Knight and David Wilshire watching the debate and handing out briefings, accompanied by Michael Howard.

Eleven amendments were debated in the second session (1.2.1988 cc.928-974). Two Government amendments were accepted without a vote and two pro-Clause amendments withdrawn. Only Lord Peston’s anti-Clause amendment on libraries was put to a vote, but defeated by 42 to 28 votes. The others were not moved or withdrawn, which meant they could be re-tabled. They sought to retain counselling and sexual-health services, exclude theatre performances and works of literary merit, ensure the availability of support on sexuality in schools, and protect lesbians and gay men from discrimination.

The third session (2.2.1988 cc.993-1023) debated Lord Willis’ amendment to delete the Clause from the Bill. Eight Lords spoke against the amendment and 10 in support. Lord Grimmond argued, “it is time that some protest was made against the growing habit of legislating whenever something is raised in the press” (c.1002), while Lord Peston noted “so many of the examples [of promotion] put forward turn out not to be the case” (c.1012). The amendment was defeated by 202 to 122 votes but, as it was announced, the “[Interruption]” in Hansard

(c.1023) omits three lesbians abseiling from the visitors gallery to the chamber. The next day's papers seized on it (3.2.1988): "Tarzan lesbians vow to fight on" (Evening Standard) and "Lesbian protesters drop in on Lords" (Daily Telegraph). The Times later added (5.2.1988) "Apology by unrepentant peer angers the Lords" on Lord Monkswell's admission that he had signed the women's passes.

The Report stage of the Bill took up seven sessions. In the debate devoted to Clause 28 (16.2.1988 cc.585-643) twenty amendments were considered. Anti-Clause amendments sought to limit its applications or clarify the wording. Lord Longford sought to restrict it to schools, but was defeated by 90 to 48 votes. Lord Henderson sought to omit 'pretended' from 'family', but was defeated by 43 to 20 votes. Other anti-Clause amendments were not moved or withdrawn. There was more discussion of families than in earlier debates. Lord Gifford read a letter to the Guardian from Stonewall founder Angela Mason about the children of lesbian parents including her own daughter (c.607). Lord Rea spoke about being brought up by two women (c.617-9). Three minor Government amendments were accepted as small, if inadequate, concessions.

At the Bill's third reading (29.2.1988), conflict over Clause 28 ran on after the Minister had proposed the Bill be passed. Lord McIntosh (cc.72-4), Baroness Sear (cc.74-5) and Lord Houghton (cc.77-80) continued criticising it. Baroness Blatch (c.74), Lady Saltoun (cc.75-6) and Lord Boyd-Carpenter (c.76-7) continued defending it. On the stated intention of Bill and Clause to deal with the 'militant tendency' of some Labour councils, Lord Houghton pointed to the Tory 'militant tendency' which "consists of an authoritarian, puritanical and highly illiberal group of people who pursue a political and a moral philosophy which stops just short of donning a uniform in order to show the public where it stands" (c.78).

Before the Commons debate on the amended Clause began (9.3.1988), opposing MPs raised points of order with the Speaker about the management of the Bill. Simon Hughes queried the exclusion of Liberal amendments (c.340).



Jack Cunningham queried the debate's timing which had rushed the drafting of amendments (c.341). Frank Dobson felt "the House [was] being treated with contempt by the Government's business managers" (c.342).

In the debate that followed (9.3.1988 cc.370-432) speakers on both sides were persistently heckled; at times the collective participation reads like a Music Hall performance. Geoffrey Dickens (c.416) likened it to "addressing an audience from the stage of 'La Cage Aux Folles'". An extraordinary range of topics emerged: a Franklin cartoon in the Sun; a 1930s Nazi cartoonist (c.376); David Hockney's paintings (c.380); Shakespeare on Sir Thomas More (c.381); the Greek and Latin meanings of 'homo'; Socrates and hemlock (c.382); Richard Branson's condom campaign (c.384); the Labour anti-discrimination resolution (c.385); definitions of 'promote' back to 1623 (c.391); Wittgenstein and the meaning of words (c.401); the South African embassy picket; the Marquis de Sade (c.402); Benjamin Britten's setting of Michelangelo's sonnets (c.403); Freud's essay on Leonardo (c.404); Cambridge in the 1930s; Communism (c.416); a Mother's Union leaflet on 'Understanding Homosexuality' (c.426). Parliamentary protocols were neither observed nor enforced. Jill Knight's claims about the availability of gay books in schools and parents' protests were challenged by Tony Banks, John Fraser (cc. 377-8) and Peter Pike (c.386), while Stuart Holland offered evidence to the contrary (c.400). When Tony Banks pressed her for evidence she offered none (c.408). David Wilshire's claim about a safer-sex leaflet was exposed as false by Jack Cunningham (c.376-7) and Stuart Holland (c.400). Nicholas Fairbairn was cast as "sick" for his obsession with anal sex by Tony Benn (c.383) and likened to the Scarlet Pimpernel for his absences from the chamber by Stuart Holland (c.402). Mark Fisher distinguished genuine intolerance (Nicholas Fairbairn) from misguided mischief (David Wilshire) (c.393). The two Labour amendments, one to protect civil rights, the other to protect anti-discrimination measures, were barely mentioned. Michael Howard mustered only two pieces of circumstantial

evidence (c.421) and urged their rejection (c.425). They were defeated by 254 to 201 votes but, while the anti-Clause vote was stable, the pro-Clause vote had shrunk. As only two Conservative MPs, Michael Brown and Robin Squire, voted against it and only one other, Andrew Rowe, voiced non-support, at least 50 previously supportive Conservatives had abstained or were absent.

Margaret Thatcher did not vote in either Clause debate, nor did at least six members of her cabinet. Weeks (2007: 96) notes, she seemed “relaxed about the sexual behaviour of her closest supporters (her Parliamentary Private Secretary towards the end of her tenure was well known to be homosexual)”. Also Matthew Parris was her correspondence secretary when she was leader of the Opposition. Her support for the Clause was unapparent. Whatever the machinations behind its backbench introduction, once the Clause was accepted into the Bill, the Government could not vote against it.

### **The Debate**

The debate was held at the Report stage of the Bill (HC 15.12.1987 cc. 987-1038) to hear Liberal and Labour amendments to the Clause. Twenty-nine MPs spoke, 16 made speeches, 12 against the Clause (Appendix 7). The amendments sought the inclusion of sexual orientations in sex education, the protection of lesbians and gay men from discrimination, and the protection of advice to school pupils on sexuality. As the Minister had indicated that he would not accept the amendments, given the large Conservative majority, anti-Clause MPs could only ensure that the strongest possible protest went on record.

Simon Hughes (c.988) began by linking the Clause to Lord Halsbury’s Bill which Ministers in both Houses had argued was unworkable and unnecessary. This led him to quote extensively from Lord Skelmersdale’s speech the year before to highlight the apparent Government U-turn. These ‘linear style’ quotes

(Voloshinov 1986: 120) were indisputable and thus went unremarked. The U-turn was also pursued by Michael Brown and Jack Cunningham, again without response. These first three speakers conceded that homosexuality should not be promoted and that children should be protected (c.990; c.995; c.996). Thus the core pro-Clause claims were reaffirmed. This set the debate in the Conservative's direction and left other anti-Clause speakers with limited choices. They could either argue about what constituted promotion which, as it was undefined, gave them little to argue against, or that homosexuality could not be promoted, for which they had no evidence. Similarly, on the protection of children, they could only offer alternative views of children's best interests, or of what they should be protected against.

Michael Brown declared the Committee was "bounced into accepting the Clause" (c.995); he was the only Conservative to speak against it. In assent, Jack Cunningham admitted he had accepted the amendment in Committee on the basis of prohibiting the "promotion of an act" as opposed to "the act of promoting homosexuality" (c.996). However, pro-Clause speakers reversed the word order to "promoting activities" (Harry Greenway c.1001) and "the promotion of an activity" (David Wilshire c.1005). Jill Knight cited parents who wished "to protect their children and complain about what was happening to them" (c.1000) and the "strong objection of parents in those local authorities [to what had] been done to their children" (c.1007). Nicholas Bennett referred to "homosexual teachers who abused their position" and viewed "the homosexual act as intrinsically immoral and evil" (c.1015). These references plant the misleading impression that sexual *acts* were being promoted in schools, while Jill Knight insinuated sexual abuse. Chris Smith, the only out gay MP, noted "the act as they put it, of encouraging..." (c.1007), but the allusion was otherwise unexposed. It triggered assent "without much critical attention" (Wodak 2007: 214).

Misleading impressions relating to David Wilshire's dossier were exposed.

It can be gleaned from the debate that it included extracts from: 'Young Gay and Proud' which was on the Conservative election posters, 'Playbook for Kids about Sex' and 'The Milkman's on his Way', which were cited in the Lords, plus 'Jenny Lives with Eric and Martin'. Simon Hughes (c.991) exposed how David Wilshire had let the Committee think 'Playbook for Kids about Sex' was a local authority publication. Chris Smith (c.1008) exposed how the inclusion of 'Jenny lives with Eric and Martin' was misleading, although stocked at an ILEA teacher centre, it had never been used in a classroom. Ken Livingstone added:

Nowhere have the hysteria and bigotry been whipped up more than on the issue of the book 'Jenny lives with Eric and Martin'. It filled acres of newsprint. What was the reality? One copy of one book in one teachers' centre that one teacher had taken out to read became the centre of a wave of hysteria that has turned it into a best seller. The people who published the book will probably want to make a donation to the popular press for advertising it. Should such nonsense be the basis of legislation? (c.1010)

None of the books were council publications and evidence for their use in school was scant. The only evidence Michael Howard (c.1017) mustered was that 'Young Gay and Proud' was on a Haringey reading list for thirteen-year-olds.

A notable feature of the debate is the profusion of questions asked by anti-Clause speakers (57 to 5). Of these 32 were rhetorical and easily ignored, but 25 were directed at individuals. The rhetorical questions mostly concerned potential applications of the Clause, as did a third of the direct questions, others asked for clarification of, or evidence for, pro-Clause claims. This multitude of questions suggests confusion. The Committee had been 'bounced' into accepting the Clause and with the debate only a week later, opposing MPs had been caught unawares. While the direct questions were answered, the answers were moralistic, evasive, circumstantial, based on questionable sources or "generalised hearsay" (c.1008). As Archy Kirkwood noted in his summary (c.1026), the questions had not been satisfactorily answered.

There is also a difference in the range of arguments deployed by each side.

Pro-Clause arguments were narrow and moralistic: the protection of children (20 mentions), right and wrong (18 mentions), parents' disapproval (13 mentions), and what schools were/should not be doing (12 mentions). Opposing arguments were wide-ranging: the imprecision of the Clause (33 mentions), pupil's access to information and support (30 mentions), democracy, civil rights and equality (29 mentions), the Government's motivation (22 mentions), misleading press reports (19 mentions), misrepresented council policies and good practice in schools (13 mentions), and the importance of funding services (11 mentions). Overall, anti-Clause contributions were reasoned and their examples specific: identifiable council decisions (c.1004; c.1024), surveys (c.1011-2; c.1024), or quotes from specified letters (c.1011; c.1014). Chris Smith quoted an international treaty that Margaret Thatcher had signed with President Reagan and other heads of state:

We believe in a rule of law which respects and protects without fear or favour the rights and liberties of every citizen and provides the setting in which the human spirit can develop in freedom and diversity. (c.1010)

That this 'linear style' report (Voloshinov 1986: 120) went unremarked, left it hanging as pro-West Cold-War propaganda. Ken Livingstone's quote of Heinrich Himmler's decree on homosexuals (c.1013) was similarly bypassed. Linking the Government to fascism was in tune with the political atmosphere of the time; Tony Banks (c.1022-3) and Jeremy Corbyn (c.1025) also did so. The quote of Himmler may also have been an indirect appeal to the Michael Howard, who is Jewish. Any effect on him is unknowable, but his contributions to the debate were different from those of backbench pro-Clause speakers.

The backbench speakers focused on what they portrayed as parents' and constituents' outrage over the claimed promotion of homosexuality in schools. However, the children, parents and constituents they cited were unidentifiably generalised, as in Jill Knight's intervention on behalf of Harry Greenway under questioning from Tony Banks:

I wonder whether during my hon. Friend's conference he heard from parents such as those who contacted me when they wished to complain about the way in which their children were being dealt with in schools promoting homosexuality. Those parents were hit, spat upon, urinated on and one, who was pregnant, was punched very hard in the stomach. I wonder whether my hon. Friend has heard similar complaints from those poor parents, whose only wish was to protect their children and complain about what was happening to them. (c.1000)

In this 'pictorial style' report (Voloshinov 1986: 120-1) Jill Knight personalises and conflates two separate news reports. One part echoes The Times editorial (18.12.1986) citing protests in Haringey on the day Lord Halsbury's Bill was read a second time. It reported the "parents allege that they have been subject to abuse, to vandalism on their homes, to death threats and to such unpleasant experiences as being spat and urinated on." The pregnant woman was also in Haringey. The Times (17.3.1987) reported that she "was taken to hospital after she claimed she was punched in the stomach at a gay and lesbian unit meeting at Haringey council". The use in these reports of "alleged" and "claimed" suggests the stories were unsubstantiated. Reports of these incidents have not been found in other broadsheets. When Chris Smith (c.1008) requested specific examples of promotion, Clive Soley intervened:

[W]e discussed the matters raised by him and by the hon. Member for Birmingham, Edgbaston [Jill Knight]. They were known to be and had been found to be lies by newspapers. Those lies have now been picked up by certain people who have used them to create hatred and fear. Does it not bring into disrepute hon. Members who peddle those lies in that way? (c.1008)

Clive Soley had introduced the Press Freedom debate (HC 27.11.1987 cc.509-574) with a report on 'Media Coverage of London Councils' (Curran *et al* 1987). It traced various 1980s news items to their different or non-existent origins and showed how they were picked up and distorted by other papers. The Sun, Daily Mail, Mail on Sunday and Evening Standard were the worst offenders. When asked directly, neither Harry Greenway (c.1002), nor Jill Knight (c.1007), nor

David Wilshire (c.1008) could provide an example of a child harmed by Labour council policies, or of local authority employees who had encouraged any adult or child to be lesbian or gay.

Michael Howard's speech was different. He began by accepting Chris Smith's invitation to condemn the fire-bombing of Capital Gay and other acts of violence against gay people and condemned them "unreservedly [and] without qualification" (c.1016). Elaine Kellett-Bowman had earlier called out it was quite right Capital Gay should have been fire-bombed, to a spate of protests (c.1009). In response to the Speaker's intervention, she was "quite prepared to affirm that it is quite right that there should be an intolerance of evil" (c.1009), a point she repeated in response to Joan Lestor, who said "the hon. Member for Lancaster should be ashamed of herself for sanctioning arson" (c.1024).

As a barrister, Michael Howard would have known the Clause was unworkable as law and unnecessary in the context of existing legislation. He confined his speech to the Standing Committee, two circumstantial examples of 'promotion' from Haringey, the amendments, and Labour policy. He claimed, "the influence of local authorities on what goes on in schools [had] given rise to much, if not most, of the public concern" (c.1018). He ruthlessly ensured the clause was passed without amendment, but did not engage in the backbench moralising. This raises the question: was the Government using backbench homophobia to pass an unworkable and unnecessary Clause for the purpose of weakening their political opponents, or had backbench pressure got the upper hand?

Anti-clause MPs were unsure. Claire Short (c.992) noted "the nasty games that are being played here". Simon Hughes (c.993) inferred "an effort to capitalise on a populist view and to gain the maximum political advantage from the scares and fears about AIDS". Michael Brown (c.995) saw "a degree of populism that is becoming a symptom of a less tolerant society". Jack Cunningham (c.998) judged that the U-turn was "for the most base and contemptible politically opportunist

reasons”. Joan Ruddock (c.1004) referred to, “people in my constituency who believe the ugly propaganda that has emanated from the Conservative Benches”.

Chris Smith cited two clear motives:

The first is the use of anti-gay sentiment for political ends. I shall say no more about that, because it is one of the most disreputable political activities in which anyone could indulge [...] The second motive is a desire to change the climate so that to be gay or lesbian is to feel and to be treated as a second-class citizen. The climate has changed. There is more intolerance now than there was five or 10 years ago. (c.1009).

Jack Cunningham concluded that the Minister’s “misrepresentations of Labour’s position [were] deliberate and for the basest of political motives” (c.1021).

There was no openness to alternative views on the Government side of the debate, nor was its outcome based on rational argument or solid evidence. It was a single battle in a wider war in which anti-Clause MPs were outnumbered.

### **Words and Themes**

The following analyses focus on each side’s top-ten keywords (Appendices 11 & 12) and their collocates (Appendices 13 & 14). Core features of each side’s contributions to the debate are shown on Flowcharts 1 and 2 below.

\*       \*       \*

On Flowchart 1, the anti-Clause keywords (Appendix 12) *WILL* and *OR* are pivotal. *WILL* collocates with the keywords *GOVERNMENT*, *MINISTER*, *HE* and *CONSERVATIVE* which, along with *members*, *clause*, *hope* and *amendment* link to debate process and party politics. By contrast, *OR* links widely to sexuality terms and their collocates and hence to *clause* content and its implications.

In terms of *clause* content, the flowchart shows that *OR* links to the *clause* wording (*promoting*, *homosexuality*, *teaching*, *local*, *authority*, *promote*, *education*) and to its possible effects on *lesbian* and *GAY* civil *rights*. However, only 58/103 concordance lines for *OR* (Appendix 15) are clear alternatives requiring *OR* as a



conjunction. Thus its use is questionable in 45 lines. In 25 of these lines, the linked items overlap in meaning, for example:

12 that is not a result of the promotion or advancement of arguments about homose SH 15.12.anti.txt  
 26 clause should be allowed to prevent or hinder the discouragement of discriminati JCu 15.12.anti.txt  
 51 selling and advice to such a worried or concerned teenager to be regarded as pro CSm 15.12.anti.txt  
 66 ture of such a concept as promoted or encouraged normality? I thought that only CSm 15.12.anti.txt  
 88 retation can be put on the purpose or nature of the amendments that we tabled JCu 15.12.anti.txt  
 89 so without any fear of intimidation or threat, either from within the House or fro TB 15.12.anti.txt

The overlap suggests hesitation as if the speakers were unsure what to say next.

In 15 lines, *OR* appears to preface an afterthought, for example:

7 n a few localised examples of abuse or possible abuse. The second is that the cla SH 15.12.anti.txt  
 16 hon. Lady to regard those practices, or any others, as civilised. I am merely askin SH 15.12.anti.txt  
 33 o. 37. If banning promotion means or carries the risk of meaning the banning of JCu 15.12.anti.txt  
 85 d never has been the responsibility or the duty of a local authority or a local edu JCu 15.12.anti.txt  
 92 perform in local authority theatres or local authority-funded theatres. For exam TB 15.12.anti.txt

The afterthoughts suggest a concern to cover all possibilities, as if there were too many to consider. The large number of unanswered questions supports this.

In five lines ‘and’ seems a more appropriate conjunction:

6 ent of a non-discriminatory society or local government. My colleagues and I hav SH 15.12.anti.txt  
 13 otion”, “acceptability”, “pretended” or “family”. Subsection (1)(b), if unamended, SH 15.12.anti.txt  
 17 and in 1987 where, just as in 1887, or 1787, those practices go on. From the begi SH 15.12.anti.txt  
 25 close to them, such as their family or friends. “Promote” should not be taken to JCu 15.12.anti.txt  
 82 oes it exclude Eton, Harrow, Rugby or Winchester, from which Conservative Me NB 15.12.anti.txt

The use of *OR* instead of ‘and’ in these lines creates unnecessary alternatives, as if the uncertainty had pervaded more finite information.

While categorising the lines in this way is a matter of judgement, arguably all 45 questionable lines signal uncertainty. Obvious reasons for this are the undefined wording of the *clause* and the unexplained Government U-turn, but uncertainty is not evident in the lines for all speakers. It is most evident in the lines spoken by Simon Hughes and Jack Cunningham, who introduced the anti-Clause position in terms of ‘concessionary moderation’.



In terms of debate process, the uses of the three most significant keywords, *MINISTER*, *GOVERNMENT* and *HE* are predictable (Appendix 15). Of the lines for *MINISTER*, 56/60 refer to Michael Howard, while 64/80 lines for *HE* refer to pro-Clause speakers. Of the lines for *GOVERNMENT*(’s), 63/80 refer to the Thatcher Government and 13 to local government. Less predictable are the uses of *WILL* once eight requests and two consents to ‘give way’ are excluded.

Of the 90 remaining lines for *WILL* (Appendix 15), 44 occur in predictions, while *hope* occurs in 15 and *perhaps* in two. Of these, 36/44 predict effects of the *clause*. These predictions are confidently phrased, but as the parameters of the clause were undefined, they had no firm basis, they were simply a means of raising concerns and fears, for example:

13	mossexuals is taught in school, they	will	be taught away from the classroom, in pr	SH 15.12.anti.txt
22	d that those with possible infection	will	be more reluctant than ever to come forw	JCu 15.12.anti.txt
40	es to, the lesbian or gay community	will,	in the minds of local authorities, come t	CSm 15.12.anti.txt
47	irrelevant. What the Minister thinks	will	not matter: it is what the judges think th	KL 15.12.anti.txt
54	ve the clause should be interpreted	will	cause genuine fear about the direction in	PP 15.12.anti.txt
78	going on in the House tonight, they	will	undoubtedly be far more afraid, if the cla	TB 15.12.anti.txt
87	without amendment many teachers	will	be worried about the role that they can a	JL 15.12.anti.txt
93	for years to come. Such censorship	will	create fear in librarians, theatre manage	JCo 15.12.anti.txt
95	led Conservative election smears. It	will	lead to an increase in human misery. It i	DA 15.12.anti.txt

The predictions which include *hope* or *perhaps* focus on Minister or Government (re)actions and are less confident, for example:

14	something from which I hope they	will	resile. It is about time we had some prin	SH 15.12.anti.txt
18	intentions. I hope that the Minister	will	accept the amendments. If he does not,	JCu 15.12.anti.txt
24	d to those points and perhaps they	will	question him on his answers because we	JCu 15.12.anti.txt
33	rights. I hope that the Government	will	reconsider.	JR 15.12.anti.txt
57	sincerely hope that the Government	will	think again about the way in which clau	PP 15.12.anti.txt
60	endments, I hope that the Minister	will	give assurances that clause 27 will be lo	PP 15.12.anti.txt
98	ct children. I hope that the Minister	will	look carefully at the arguments advance	AK 15.12.anti.txt

As the Minister was not accepting the amendments, hopes for compromise were futile. Uncertainty remained. Nine more lines for *WILL* occur in first-conditional sentences. Four relate to the feared effects of the *clause*:



Overall, anti-Clause speakers had been pushed into the position where they could assume little about the nature of the *clause* or government intentions. In Voloshinov's terms they lacked sufficient 'extraverbal context' (2012: 161-8), hence the multitude of questions and the uncertainty evident in uses of *OR* and *WILL*. However, even if they had been able to mount a better-informed and co-ordinated defence, it would have been no match for the Conservative majority.

\* \* \*

On Flowchart 2, the pro-Clause keywords (Appendix 11) *I* and *WAS* are pivotal. While *I* links to all aspects of the claimed *promotion*, *WAS* occurs in the reported speech, views, events and situations that were produced to support the claim; it also relates more closely to the *LABOUR* target.

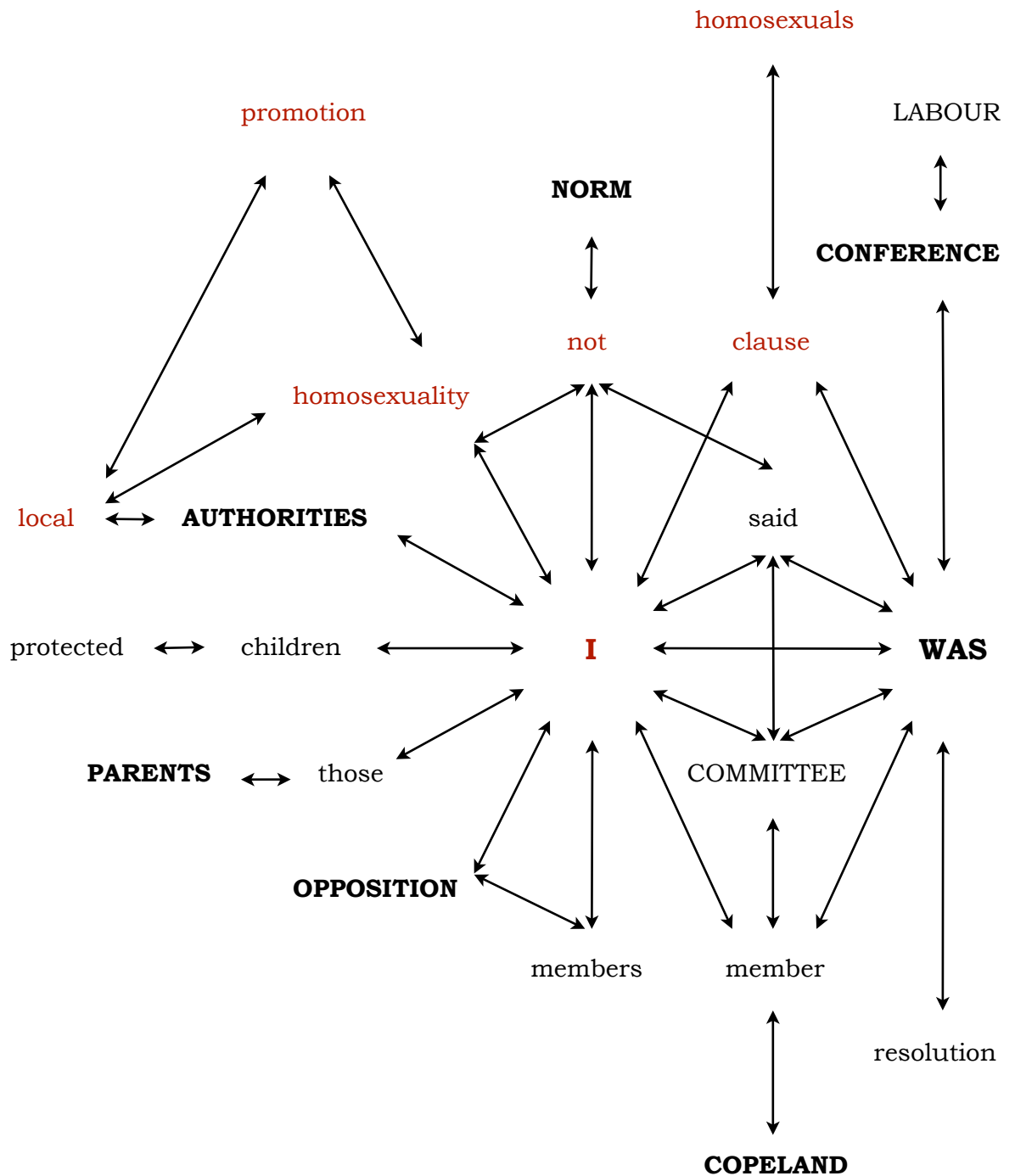
Of the concordance lines for *I* (Appendix 16), 35/167 relate to debate process: statements of intent, refusals or consents to give way, directions to the House, and a procedural query. Of more interest are the 52 lines where *I* is used with a stative verb or verb with stative meaning:

<i>am</i> + adjective (9 lines)	<i>think</i> (4 lines)	<i>wonder</i> (2 lines)	<i>recognise</i> (1 line)
<i>believe</i> (8 lines)	<i>want</i> (4 lines)	<i>accept</i> (1 line)	<i>regard</i> (1 line)
<i>was</i> + adjective (6 lines)	<i>have</i> + noun (2 lines)	<i>consider</i> (1 line)	<i>regret</i> (1 line)
<i>hope</i> (4 lines)	<i>know</i> (2 lines)	<i>doubt</i> (1 line)	<i>remember</i> (1 line)
<i>see</i> (4 lines)	<i>wish</i> (2 lines)	<i>feel</i> (1 line)	<i>share</i> (1 line)

Excluding five lines where *wish* or *want* relate to debate process and two where *wonder* occurs in questions, 45 lines state or report personal views, for example:

6	s on what one means by "civilised". I do not regard the practice of sodomy or bug	EKB 15.12.pro.txt
15	ssential that children are protected. I do not believe that the House would ever sa	HG 15.12.pro.txt
26	that it is a misuse of public money. I share their view. Only last week I received c	HG 15.12.pro.txt
48	ber for the beginning of the debate, I was not sure whether it would be necessary	DW 15.12.pro.txt
77	everything that has been sent to me, I am absolutely clear in my mind that the thi	DW 15.12.pro.txt
87	if he wishes to do so, but, as far as I can see, ratepayers' money was made avail	DW 15.12.pro.txt
100	many homosexuals in the country. I do not want to preach, because it is invidio	NB 15.12.pro.txt
157	the hon. Member for Copeland, but I am less sure about some of his hon. Friend	MH 15.12.pro.txt
167	is growing and I said, "Quite right." I believe that intolerance of evil should grow.	EKB 15.12.pro.txt

Flowchart 2: Pro-Clause Keyword and Collocate Network



key: **BOLD CAPITALS:** keywords in the top ten

**BLACK CAPITALS:** keywords

**RED CAPITALS:** sexuality-term keywords and keywords collocating with sexuality terms

black lower case: keyword collocates

red lower case: sexuality terms and sexuality-term collocates

This suggests pro-Clause speakers were entrenched in the social power of their beliefs. They had no evidence of harm to children and no credible source of support for their claims, though some MPs would have seen Harry Greenway's (c.1002) and Nicholas Bennett's (c.1015) invocations of religion as authoritative.

Similarly, all but two of the 74 lines that occur in reports, are self-reports of speech or actions. The following categories are not mutually exclusive, but illustrate the point. Sixteen reports occur in refutations, for example:

2	r that I presented to the Committee. I was speaking about a book entitled "The pl	DW 15.12.pro.txt
4	ctor of Public Prosecutions in 1983. I was seeking not to say that it had been use	DW 15.12.pro.txt
52	authority. The record will show that I made no such claim.	DW 15.12.pro.txt
56	t I was in favour of negative images. I did not say that, and I do not say it now. F	DW 15.12.pro.txt
69	wrong to promote either of them. All I was saying is that there are those who seek	DW 15.12.pro.txt
164	ment about Labour party policy. All I did was to quote a resolution which was pa	MH 15.12.pro.txt

Sixteen reports occur in answers to questions, for example:

17	I did not invite gay groups, but it was open f	HG 15.12.pro.txt
35	I was approached by children with all kinds	HG 15.12.pro.txt
76	e contradicts any of the things that I said. Therefore, the amendments are not ne	DW 15.12.pro.txt
82	e to ask for the information, which I gave them. I shall gladly give it to the hon.	JK 15.12.pro.txt
133	resent on the Friday morning when I made it perfectly clear that my view was ex	RB 15.12.pro.txt
144	in the past tense. I supported what I had said, and it was put to a vote that mor	RB 15.12.pro.txt

Fourteen reports invoke the Standing Committee, for example:

63	em fly in the face of the evidence — I presented that evidence to the Committee a	DW 15.12.pro.txt
73	oted what I said in Committee, and I stand by it. The clause is not a criticism of	DW 15.12.pro.txt
85	ple is required, I shall repeat what I said in Committee. One of the books that w	DW 15.12.pro.txt
126	ilable in Committee, and I said that I could not believe that any Member of the C	MH 15.12.pro.txt
147	I dealt with this matter in Committee. The Bi	MH 15.12.pro.txt

Thirteen reports recall a previous utterance, for example:

148	ties and local education authorities. I said that if a case were made out for it to be	MH 15.12.pro.txt
150	ity in the classroom, in the way that I suggested a short time ago, would be perfec	MH 15.12.pro.txt
153	ment, as it is unnecessary. As I said, it is more limited in its scope than the	MH 15.12.pro.txt
155	ot only by the Government, but, as I said earlier, by the Opposition. I accept that	MH 15.12.pro.txt
115	e clause. When I began my remarks I said that I hoped that I would succeed in sa	MH 15.12.pro.txt

Ten reports recount actions or experience, for example:

12	nd to express their opposition to it. I decided to promote a full discussion on it, a	HG 15.12.pro.txt
14	Children are vulnerable. I taught in schools for 23 years and saw that	HG 15.12.pro.txt
65	homosexuality cannot be changed. I have tried to look at the evidence for and ag	DW 15.12.pro.txt
97	er, and latterly an education officer. I came across examples of homosexual teach	NB 15.12.pro.txt

These reports expose the weakness of pro-Clause arguments, compounded by a scarcity of ‘linear style’ quotes to give them greater authority (Voloshinov 1986: 120). All reports are in ‘pictorial style’ and infused with the speaker’s view (*ibid*: 120-1). However, in terms of a social hierarchy of values (*ibid*: 123), the claims of *promotion* and *parents’* concern were not weak. They were more powerful than the reasoned and better-supported anti-Clause arguments because they tapped into the well of mobilised homophobic beliefs.

The disproportionate frequency of *I* also questions the extent to which pro-Clause MPs were speaking on the Government’s behalf. The ratios of *I* to *we* are indicative: 6.2 to 1 for pro-Clause speakers, 2.1 to 1 for anti-Clause speakers. Of the 29 lines for *we* (Appendix 16A), 16 refer to the House, three to Conservative MPs, while four are unidentifiably generalised; only six refer to the Government:

2	ific point that she has raised is yes. We take the view that the form of the amend	MH 15.12.pro.txt
14	tion has been questioned. However, we think that it is necessary. We do not thin	MH 15.12.pro.txt
15	wever, we think that it is necessary. We do not think that it is damaging. It is the	MH 15.12.pro.txt
16	osexuality by local authorities, and we wish to make it clear that the promotion	MH 15.12.pro.txt
19	orm would be stopped by clause 27. We believe that to be right.	MH 15.12.pro.txt
27	rise to widespread public concern. We have sought to deal with them in a way t	MH 15.12.pro.txt

These lines were spoken by the Minister but, although he was representing the Government, they are only 6/16 lines for *we* he spoke. Pro-Clause speakers appeared to be acting largely on their own initiative.

All 63 lines for *WAS* (Appendix 16) occur in reports. Twenty-two lines report events in *COMMITTEE*: what David Wilshire claimed *WAS* or *WAS not* the case (14 lines) and Michael Howard’s references to *LABOUR*’s acceptance of the amendment without a vote (8 lines). The former relate to claims of *promotion*, but the latter target *LABOUR*. A divide between the moralising *promotion* claims and



the *LABOUR* target is evident in other lines. Those related to protecting *children* (6 lines), Harry Greenway's *CONFERENCE* on the family (5 lines), public support for the *clause* (4 lines) and *EALING* council policies (3 lines) fall within backbench moralising. Michael Howard's citing of the *LABOUR CONFERENCE resolution* on non-discrimination in 1985 (3 lines) further targets *LABOUR*. He also spoke all five lines for *CONFERENCE* that refer to the 1985 *LABOUR CONFERENCE*, plus 22/27 lines for *AUTHORITIES* and all 8/13 lines for *OPPOSITION* that refer to *LABOUR*. Conversely, he spoke none of the lines for *PARENTS*.

The keyword *PARENTS* relates most strongly to the backbench moralising. Eleven lines occur in reports, but apart from Harry Greenway's *PARENTS* being located in his *EALING* constituency, they are generalised—a strategy recognised “to influence socially shared beliefs” (van Dijk 2006c: 370). Yet, the invocations of parental concern are dissimilar. Those of Harry Greenway and Nicholas Bennett were motivated by religious views and though homophobic are credibly sincere. Those of Jill Knight were apparently derived from unsubstantiated reports in the *Times*, while David Wilshire's dossier resembles that cited at the second reading of Lord Halsbury's Bill (18.12.1986: c.311/c.317/c.321). This suggests the two main Clause promoters were implicated in an agenda beyond their moral stance.

While Michael Howard circumvented the moralising claims, his focus on discrediting *LABOUR* rested on the mobilised homophobia:

Let us consider some of the things that some local **authorities** have considered doing, or might consider doing, with those intentions. We need look no further than the report of the annual **conference** of the **Labour** party in 1985. In 1985 the **Labour** party **conference** voted to call upon **Labour** local **authorities** to adopt practices and policies to prevent discrimination against lesbians and gay men What did the **Labour** party recommend under that heading? We need to look no further than the third item, which states: to support financially and otherwise special lesbian and gay phone lines, centres and youth groups". I draw the attention of the House to the last two words, "youth groups". There could be no clearer notice of what we can expect to see some local **authorities** continuing to do if we accept the amendment. The **Labour** party **conference** voted to support homosexual youth groups and to prevent discrimination against homosexuals. (cc.1020-1)

His statement is factual, but following the backbench arguments on protecting *children*, it alludes strongly to the corruption of youth and thus to *homosexuals* as corrupters facilitated by *LABOUR*. It makes no allowance for teenagers who are clear about their sexual attractions and, more damningly, casts measures to prevent discrimination as the protection of corrupters. Although the statement did not go unchallenged, the allusion to corruption passed without “critical attention” (Wodak 2007: 214).

### Views of Sexuality

Terms related to sexuality used in the debate fall into three categories:

Abstract Nouns	Adjectives and Adverbs	Nouns for People
<i>homosexuality</i>	<i>gay</i>	<i>homosexuals</i>
<i>heterosexualism</i>	<i>lesbian</i>	<i>a homosexual</i>
<i>heterosexuality</i>	<i>queer</i>	<i>heterosexuals</i>
<i>lesbianism</i>	<i>homosexual</i>	<i>lesbians</i>
<i>sexuality</i>	<i>heterosexual</i>	<i>a lesbian</i>
<i>sexualities</i>	<i>bisexual</i>	<i>gays</i>
<i>sexual orientations</i>	<i>sexual</i> (not orientation)	
<i>sexual orientation</i>	<i>sexually</i>	
<i>sex</i> (in reference to sexual acts)		
<i>homophobia</i>		

Anti-Clause speakers used all 24 terms with proportionately higher frequencies of *sexuality*, *GAY* and *SEXUAL*, the latter being keywords, though as the uses of *SEXUAL* divide between *sexual* and *sexual orientation* it cannot be considered as such. Pro-Clause speakers used only 11/24 terms, of which the clinical terms (*homosexuality*/*homosexual*/*homosexuals*) are proportionately salient. The terms are investigated via their collocates (Appendices 17 & 19) and concordance lines (Appendices 18 & 20) within each lexical category in turn.

\*   \*   \*

Of the abstract nouns, the clinical *homosexuality* was most used term

overall, but proportionately more so by pro-Clause speakers:

ABSTRACT NOUNS	Total Uses	Anti-Clause Uses	Anti-Clause % Debate Words	Pro-Clause Uses	Pro-Clause % Debate Words
homosexuality	84	54/84 (64.3% total) 23/54 (42.6% uses)	72.5%	30/84 (35.7% total) 11/30 (36.7% uses)	27.5%
heterosexualism	1	1/1 (100% total)	72.5%		27.5%
heterosexuality	1	1/1 (100% total)	72.5%		27.5%
lesbianism	1	1/1 (100% total)	72.5%		27.5%
sexuality	20	19/20 (95% total)	72.5%	1/20 (5% total) 1/1 (100% uses)	27.5%
sexualities	1	1/1 (100% total)	72.5%		27.5%
sexual orientation	5	3/5 (60% total)	72.5%	2/5 (40% total) 1/2 (50% uses)	27.5%
sexual orientations	4	4/4 (100% total) 3/4 (75% uses)	72.5%		27.5%
sex (in reference to sexual acts)	12	10/12 (83.3% uses) 9/10 (90% uses)	72.5%	2/12 (16.7% total) 2/2 (100% uses)	27.5%
homophobia	2	2/2 (100% total)	72.5%		27.5%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use

The pro-Clause collocates for *homosexuality* (Appendix 17) link to the Clause wording in that 25/30 lines (Appendix 18) concern promotion. The promotion was presented as happening:

I wonder whether during my hon. Friend's conference he heard from parents such as those who contacted me when they wished to complain about the way in which their children were being dealt with in schools promoting **homosexuality**.  
(Jill Knight c.1000)

They have to deal with a fact that has hit every parent and grandparent—and many others—hard in the teeth. That has now been going on for nearly two years, and they have a strong point of view. They want the Government to do what the Bill does, which is to prohibit the teaching and promotion of **homosexuality**.  
(Harry Greenway cc.1001-2)

Two central arguments are used by people promoting **homosexuality**: first, that people cannot be made to be homosexual and, secondly, that homosexuality cannot be changed.  
(David Wilshire c.1005)

It cannot be denied that ILEA has as part of its resources guide materials that are considered suitable for use in secondary schools, colleges of further education, the youth service and adult education institutes that positively encourage **homosexuality**.  
(Nicholas Bennett c.1015)

It was also presented as wrong:

The Roman Catholic, Jewish, Sikh, Moslem and Hindu religions are absolutely clear in their teaching on this matter. They teach that **homosexuality** is wrong and it is wrong to promote homosexuality among children. Children must be protected.

(Harry Greenway c.1002)

If it is right to encourage **homosexuality**, one might ask why it is not right to encourage racial hatred. I think that neither should be encouraged.

(David Wilshire c.1005-6)

Most people in this country believe that our schools should not be used as vehicles for proselytising **homosexuality**. That is what the clause seeks to prevent.

(Nicholas Bennett c.1016)

It is not right for pupils to be taught, in any school, that **homosexuality** is the norm. It is even less acceptable for local authorities to promote such teaching.

(Michael Howard c.1019)

Harry Greenway's "insidious and dangerous influences such as *homosexuality*" (c.1000) epitomises the pro-Clause view. More hazardous is David Wilshire's incongruous equation (c.1005-6 quoted above). This confusing anomaly, with its double use of *right*, confounds challenge. Tony Banks did challenge it and asked if David Wilshire thought "racial hatred and *homosexuality* [were] equivalent". He replied that it was "equally wrong to promote either of them" (c.1006), which oddly equates *homosexuality* with hatred. More straightforwardly misleading is Michael Howard's use of the keyword *NORM*:

... the precise purpose of the new section 2A was to put into legislative form the principle set out in the recent Department of Education and Science circular on sex education that **homosexuality** should not be portrayed as the **norm**. It is not right for pupils to be taught, in any school, that **homosexuality** is the **norm**. It is even less acceptable for local authorities to promote such teaching. (c.1019)

To suggest that pupils must continue to be given the advice, information and counselling that they need about **homosexuality** is different from being taught that **homosexuality** is acceptable as a pretended family relationship. There is nothing in clause 27 that will prevent the legitimate provision of information, advice or unbiased counselling of pupils, but activities conducted by local authorities in a biased way or in a way that presents as a **norm** a sexual orientation that is not the **norm** would be stopped by clause 27. (cc1019-20)

The misrepresentation plays on reclamations of lesbian and gay sexualities as normal for the individuals concerned, as opposed to clinically abnormal; no-one

was claiming they were majority sexualities.

Of the five pro-Clause uses of other abstract nouns (Appendix 18), all but one line for *sexual orientation* occur in reports. This positions *sexuality* outside speakers' spontaneous repertoire (Bakhtin 1935: 293-4) and suggests *sex*, while alluded to, was not talked about openly. Notably, *heterosexuality* was not used:

The absence of a word does not mean absence of a phenomenon. On the contrary, the very absence is itself prime evidence for the overwhelming, potent unmarked presence of heterosexuality, generally seen as the universal, biologically given basis of reproductive and sexual life.

(Weeks 2011: 79)

The non-use of *heterosexuality* points to its taken-for-granted status (Voloshinov 2012: 163-4; van Dijk 2008a: 170-1) and suggests pro-Clause speakers had no recognition of it as a social, as opposed to 'natural', phenomenon.

\* \* \*

The anti-Clause collocates for *homosexuality* (Appendix 19) plus 43/54 lines (Appendix 20) address the claimed promotion. Its meaning is the concern of 22 lines, of which 10 occur in questions about its application or incidence. Chris Smith's were the most comprehensive:

James Baldwin, [...] wrote two books, [...] which undoubtedly celebrate the fact of **homosexuality** and the relationships of homosexuals. [...] If a local authority places those books in a public library, will it be regarded by the courts as promoting **homosexuality**? Secondly, if a pub or club that caters for a principally gay clientele applies for a music licence and the local authority grants that licence, will that local authority be regarded by the courts as promoting **homosexuality**? Thirdly, if concerned or worried teenagers seek help or guidance from a teacher, [...] is the giving of guidance, counselling and advice to such a worried or concerned teenager to be regarded as promoting **homosexuality**? Fourthly, if the London boroughs of Wandsworth and Merton, which are not controlled by the Labour party, fund, as they do respectively, the Gay Self-Defence Group and the Wimbledon Area Gay Society, are they promoting **homosexuality** as well? (c.1007)

A further 17 lines differentiate promotion from necessary social provision. Simon Hughes and Jack Cunningham tied their differentiation to the amendments:

That amendment [...] seeks not to undermine the initial part of the clause regarding the promotion of *homosexuality*, but to ensure that it is natural and, indeed, perfectly proper, for education to include education about different sexual orientations ... (c.990)

The amendments make it clear, first, that we do not believe that any local authority has or should have a duty to promote *homosexuality*, but that this restriction relates solely to the promotion of *homosexuality*, and not to services or information to homosexual people or those personally close to them, such as their family or friends. (c.996)

Michael Howard dismissed two amendments as unnecessary, but cast the one protecting anti-discrimination measures as a “trojan horse” (c.1020) and used it to berate Labour policy (c.1020-1 quoted above). Jack Cunningham responded:

The first thing that I want to do is to reject as contemptible the Minister's sickening and, I suspect, deliberate, misrepresentations of the Labour party's position. As I made clear in Committee and again tonight, it is not and never has been the responsibility or the duty of a local authority or a local education authority to promote *homosexuality*, and it has never been Labour party policy that they should do so, either. The Minister has now heard me say that three times—twice tonight and once in Committee—so I can only conclude that his misrepresentations of the Labour party's position is deliberate and for the basest of political motives. (c.1021)

Before the vote was called, Jeremy Corbyn made a final appeal:

I ask hon. Members to think for a moment before they vote. They know about the way in which the media have manipulated this issue, about the self-fulfilling prophecies and lies peddled by the Murdoch press and others, and about the fears about the alleged promotion of *homosexuality* in schools, of which there is not one shred of evidence. They know how, a week later, a telephone opinion poll is presented, claiming to support the views that have already been put forward by that same press. The House has a duty to protect the rights of people in our society, whatever their sexuality and opinions on these matters. (c.1025)

While *homosexuality* was linked to the Clause and promotion by both sides of the debate, the anti-Clause uses of other abstract nouns were wider-ranging.

The uses of *heterosexualism* and *heterosexuality* (Appendix 20) at least acknowledge heterosexuality, though the former suggests unfamiliarity with the usual term. Both are paired with a non-heterosexual term, thus *heterosexuality* had no independent consideration. The salient contrast between each side's use of abstract nouns is in the anti-Clause uses of *sexuality*. All were spontaneous, none occur in reports. The term refers to lesbian and gay identities (11 lines) or

sexual identities in general (8 lines), but not heterosexuality. The topics covered span both references. The main topic (11 lines) is the claimed promotion:

I hope that the House does not want the role of local authorities to be to promote **sexuality** of any kind. [...] If it is believed that, by allowing people to be informed of different sorts of **sexuality**, they are suddenly converted to those forms of **sexuality**—

[...]

I do not believe that homosexuals want their **sexuality** to be promoted any more than anyone else does.

(Simon Hughes c.992)

If we are trying not to promote different forms of **sexuality**, why do we not deal with television advertising, which often tries to sell products merely by appealing to people's sexual nature and motives?

(Simon Hughes c.993)

I believe that local government has no part to play in promoting any particular form of **sexuality**. I think that that is readily understood by councillors, local government officers and teachers.

(Joan Ruddock c.1002)

[I]f concerned or worried teenagers [...] seek guidance about their fears, their **sexuality** or what they have come to learn about their parents' **sexuality**, is the giving of guidance, counselling and advice to such a worried or concerned teenager to be regarded as promoting homosexuality?

(Chris Smith c.1007)

It is impossible to force or encourage someone into a different **sexuality** from that which pertains to them. What is needed is not to be involved in changing, persuading, forcing, encouraging people into different **sexualities**. What is important is to enable people to understand the **sexuality** that they have, and that cannot be changed.

(Chris Smith c.1007)

The variety of arguments suggests a concern to cover all possibilities in view of the undefined Clause. Ken Livingstone exemplified the anger:

I have no doubt that the attacks on Capital Gay was a result of the climate to which the clause contributes. If the clause is carried, it will open the way to a load of homophobia and litigious fanatics trying to prevent open and honest discussion of people's real **sexuality**.

If anyone feels that there is promotion, I ask him to give us examples. I am tired of debating with Conservative Members in radio and television studios and public meetings. When I ask them for examples of promotion, they always say that they have left them in the pile at home, or that they saw them in the paper. That is not an adequate basis for legislation. One does not legislate on the basis of gossip such as that— (c.1013)

Other topics were equality and rights (3 lines), discrimination (3 lines), and the need for well-informed counselling facilities in schools (2 lines). Chris Smith's use of *sexualities* clearly acknowledges *sexuality* in multiple forms. In both plural and singular forms the term entails recognition of sexual diversity.

Four uses of *sexual orientation* are also in the plural and cite the Liberal amendment for awareness of different *sexual orientations* to be taught in schools. In singular form, the term refers to lesbian and gay sexualities. These lines occur in criticisms of the Clause: its damaging "unqualified assertions" (Simon Hughes c.990-1), its "catch all prohibition" (Joan Ruddock c.1002), and its impact on "civil liberties and civil rights" (Archy Kirkwood c.1026).

Although *sex* functions as an adjective in *sex education*, its reference to sexual acts (as opposed to gender) aligns it with the other anti-Clause uses of *sex*. The lines for *sex education* (Appendix 20), relate to the Liberal amendment and the Education (No.2) Act 1986 which had removed *sex education* from local authority control. The uses of *safe sex* occur in a question on whether *safe-sex* publicity produced by government-funded organisations constituted promotion of homosexuality. The use of *safe sex*, rather than 'safer sex', suggests unfamiliarity with the issue, as does the non-use of 'HIV'. Also the linking of *safe-sex* publicity to homosexuality rather than public health compounded the 'gay plague' view of AIDS popularised in the press (Petley 2005: 160-2).

Overall, the abstract nouns are tied to the Clause wording and claimed promotion on both sides. The contrast is between the narrow, moralising pro-Clause claims of promotion and the catch-all anti-Clause arguments and questions using a wider range of related nouns.

\*   \*   \*

Of the adjectives relating to sexuality used in the debate, by far the most frequent was the anti-Clause keyword *GAY*:



ADJECTIVES & ADVERBS	Total Uses	Anti-Clause Uses	Anti-Clause % Debate Words	Pro-Clause Uses	Pro-Clause % Debate Words
gay	67	<b>59/67(88.1% total)</b> 29/59 (49.2% uses)	72.5%	8/67 (11.9% total) 8/8 (100% uses)	27.5%
lesbian	21	15/21 (71.4% total) 4/15 (26.7% uses)	72.5%	<b>6/21 (28.6% total)</b> 6/6 (100% uses)	27.5%
homosexual	31	22/31 (71% total) 5/22 (22.7% uses)	72.5%	<b>9/31 (29% total)</b> 8/9 (88.9% uses)	27.5%
heterosexual	9	5/9 (55.6% total) 3/5 (60% uses)	72.5%	<b>4/9 (44.4% total)</b> 2/4 (50% uses)	27.5%
bisexual	1	<b>1/1 (100% total)</b> 1/1 (100% uses)	72.5%		27.5%
queer	2	<b>2/2 (100% total)</b> 1/2 (50% uses)	72.5%		27.5%
sexual (excluding orientation)	18	<b>18/18 (100% total)</b> 9/18 (50% uses)	72.5%		27.5%
sexually	2	<b>2/2 (100% total)</b> 2/2 (100% uses)	72.5%		27.5%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use  
**bold red text**: keywords

The nouns to which GAY applies in 47/58 anti-Clause lines (Appendix 20)

illustrate its main associations:

<i>men</i> (13 lines)	<i>rights worker</i> (2 lines)	<i>clubs</i> (1 line)
<i>organisation(s)</i> (3 lines)	<i>theatre companies</i> (2 lines)	<i>community</i> (1 line)
<i>people</i> (3 lines)	<i>theatre group</i> (2 lines)	<i>helplines, centres etc.</i> (1 line)
<i>groups</i> (2 lines)	<i>bashing</i> (1 line)	<i>hon. Members</i> (1 line)
<i>clientele</i> (2 lines)	<i>bookshops</i> (1 line)	<i>teenagers</i> (1 line)

More specifically, GAY occurs in:

<i>Capital Gay newspaper</i> (3 lines)	<i>Gay Switchboard or Lesbian Line</i> (1 line)
<i>London Gay Teenage Group</i> (3 lines)	<i>Merton Gay Self-Defence Group</i> (1 line)
<i>Gay Sweatshop Theatre Company</i> (2 lines)	<i>Wimbledon Area Gay Society</i> (1 line)

*Group, theatre, rights, attacks, capital, people* and *teenage* are collocates along with *local* and *authorities* (Appendix 19). Except for *men, people, bashing* and *hon. Members*, the remaining 29 nouns present a positive picture of local initiatives and group ventures, though attacks on *Capital Gay, bookshops* and *clubs* are highlighted in six lines. The lines where GAY applies to *men, people* or *bashing* occur in arguments highlighting problems faced by GAY men/people, as do 6/7 lines where GAY is preceded by a form of the verb ‘to be’. In highlighting the problem of coming out, Tony Banks turned his argument on the House:

I am not **gay**, but I know one thing, and it is that, if I were, I hope that I would be able to stand up and say so without any fear of intimidation or threat, either from within the House or from outside in society generally. There are many **gay hon. Members** on both sides of the House who, I am afraid, do not have that courage. (c.1022)

The two lines for *anti-GAY* also highlight problems. The key point here is that the negativity applies to the social climate and not to (*lesbian and*) *GAY people*.

*GAY* is paired with *lesbian(s)* in 25/59 lines, thus *men* and *lesbian(s)* are top collocates. Of the 34 independent uses of *GAY*, some refer to organisations which included *lesbians*, such as *Capital Gay* and *Gay Sweatshop*. Other general references probably include *lesbians (people, groups, clientele, teenagers, centres, helplines, bookshops, clubs)*. Three uses clearly refer to men (*he, brother* and Tony Banks' *I*). Many references are unclear. This leaves *lesbians* under-represented in the debate. In addition, only 1/9 lines which cite attacks or violence includes *lesbians*, which suggests *GAY men* were the target of greater hostility. The lines for *queer* also report attacks: one occurs in an account of their increase, the other in a quote from the Gay Teenage Group survey on intimidation at school.

Of the lines for *lesbian* (Appendix 20), 13/15 are paired with *GAY* and one with *homosexual*. Thus most nouns *lesbian* applies to overlap with those for *GAY*:

<i>organisations</i> (2 lines)	<i>women</i> (2 lines)	<i>groups</i> (1 line)	<i>mothers</i> (1 line)
<i>rights worker</i> (2 lines)	<i>community</i> (1 line)	<i>Line</i> (1 line)	

As with *GAY*, these nouns present a positive picture and the four lines where *lesbian* is preceded by a form of 'to be' occur in arguments highlighting problems faced by *lesbians* (and *GAY men*). However, the differing independent uses of *lesbian(s)* and *GAY* (2 to 34) compounds the under-representation and positions *lesbian(s)* as appendages. The extent to which the greater focus on men was a response to greater hostility or simply habitual assumption is debatable.

The associations of *homosexual* are different: 11/22 lines are preceded by a form of 'to be' (Appendix 20) and the nouns it applies to are personal:

<i>people</i> (6 lines)	<i>mother or father</i> (1 line)	<i>young people</i> (1 line)
<i>relationships</i> (2 lines)	<i>oppression</i> (1 line)	

*People*, *relationships*, *children*, *person*, *child* and *lesbian* are collocates (Appendix 19). *Relationships* occurs in reports of David Wilshire’s claim that *homosexual relationships* were being taught in schools. The other nouns occur in arguments highlighting difficulties faced by *homosexual people*. Inclusion of lesbians is evident in only one noun (*mother*), though *lesbian* is a collocate in three lines. The lines where *homosexual* is preceded by a form of ‘to be’ address the claimed promotion:

<i>person or child to be</i> (2 lines)	<i>people who are</i> (1 line)
<i>a parent was</i> (1 line)	<i>percentage of the population who are</i> (1 line)
<i>a teacher who is</i> (1 line)	<i>person is</i> (1 line)
<i>people do not choose to be</i> (1 line)	<i>that children who were</i> (1 line)
<i>people to be</i> (1 line)	

The supportive contexts of the lines mitigate *homosexual*’s clinical status. Yet its use is more focused on problems and thus less positively associated than GAY.

Of the anti-Clause lines for *heterosexual* (Appendix 20), 3/5 are paired with non-heterosexual terms. The first occurs in a quote:

“I have said that I do not believe that it is part of a local authority’s duty to glorify homosexuality or to encourage youngsters to believe that it is on an equal footing with a **heterosexual** way of life.”  
(Simon Hughes quoting Michael Howard c.998)

Simon Hughes cast this as an “off-the-cuff answer” (*ibid*) to a question from Jack Cunningham in committee, but left *glorify* and the declaration of inequality unchallenged. Of the other paired lines: one affirms that recognition of *lesbians and gay men* is no threat to the *heterosexual majority*; the other presents *heterosexual oppression* as bigger a problem in schools than *homosexual oppression*. The two independent uses of *heterosexual* report abuse:

We need to ask how we are to protect children, but we must also ask from whom we are protecting them. I was a member of the Inner London education authority for 13 years. Every example of child abuse in our schools was reported to the chairman of the schools committee, and in every example we were dealing with a **heterosexual** male teacher sexually assaulting girls—[Interruption.] That is the reality that we face.

The figures that I gave for ILEA do not stand out from others, either. The FBI conducted a major survey more than a decade ago in America. Its conclusion was that well over 90 per cent. of all forms of child abuse were of a **heterosexual** nature. If we are worried about children, why, I wonder, are we not making the same efforts to tackle that? Why are we pandering to popular prejudice that comes in on the back of a wave of homophobia generated by the media?

(Ken Livingstone c.1012)

Thus 4/5 lines challenge the privileged position of heterosexuality. There is also an anti-Clause line for *bisexual*. This occurs in Ken Livingstone's reference to a research project on the spread of AIDS, prior to reading the researchers' letter raising their concerns about escalating anti-gay violence and the Clause.

The anti-Clause keyword *SEXUAL* was used independently of *sexual orientation(s)* in 18 lines (Appendix 20). All uses apply directly to a noun:

<i>abuse</i> (4 lines)	<i>values</i> (2 lines)	<i>and social life</i> (1 line)	<i>nature and motives</i> (1 line)
<i>behaviour</i> (2 lines)	<i>activity</i> (1 line)	<i>context</i> (1 line)	<i>relations</i> (1 line)
<i>matters</i> (2 lines)	<i>adulthood</i> (1 line)	<i>ethics</i> (1 line)	<i>roles</i> (1 line)

All but *values*, *social life*, *ethics* and *roles* link to *SEXUAL* activity. Only *abuse* is a collocate, but so is *children* (Appendix 19). Seven lines relate directly to child-*SEXUAL* *abuse*. Simon Hughes' lines link to David Wilshire's insinuations in Committee, while Joan Lestor's link to Nicholas Bennett's speech. Both were responding to protection of children arguments, as was Ken Livingstone in his references to *heterosexual abuse*. The two lines for *sexually* also concern *abuse*. Joan Lestor's research enabled her to locate most child-*SEXUAL* *abuse* in "the cloak of the family" rather than schools (c.1024). These responses illustrate the strength of the undercurrent created by pro-Clause allusions to sexual activity.

\* \* \*

All pro-Clause lines for *lesbian* and *gay* (Appendix 18) occur in reports,

which positions them outside the speakers' spontaneous repertoire (Bakhtin 1935: 293-4). Even in reports, only Harry Greenway and Michael Howard used them. *Lesbian* is paired with *gay* in 5/6 lines and *homosexual* in one, while *gay* is paired with *lesbian(s)* in 6/8 lines. Harry Greenway's lines occur in scathing reports of Ealing council's *lesbian* and *gay* rights committee, for example:

For the past 18 months all advertisements of teaching posts in Ealing have contained invitations to men and women of any sexual orientation — to *gay* men and *lesbian* women and the rest of it—to apply for posts. My constituents find that excessive and distasteful and think that it is a misuse of public money. I share their view. (c.1000)

His “and the rest of it” betrays disdain if not contempt. Michael Howard's lines occur in his attack on Labour's anti-discrimination policy (quoted above). Of the independent uses of *gay*: one occurs in Harry Greenway's confirmation that he did not invite *gay groups* to his conference on ‘the family’; the other occurs in Michael Howard's citing of ‘Young *gay* and proud’ as evidence of promotion.

*Homosexual* was the preferred pro-Clause adjective, but the 8/9 lines in reports (Appendix 18), place this term too largely beyond speakers' spontaneous repertoire. *Homosexual* applies directly to a noun in 8/9 lines:

<i>relationships</i> (3 lines)	<i>acts</i> (1 line)	<i>teachers</i> (1 line)
<i>act</i> (1 line)	<i>propaganda</i> (1 line)	<i>youth groups</i> (1 line)

The nouns summarise pro-Clause preoccupations: the teaching of *homosexual relationships* in schools, the undercurrent of *homosexual act(s)*, promotion via *homosexual propaganda*, *homosexual teachers* who abused their position, and *homosexual* corruption of youth. The line where *homosexual* is preceded by ‘to be’ occurs in a report by David Wilshire:

Two central arguments are used by people promoting homosexuality: first, that people cannot be made to be *homosexual* and, secondly, that homosexuality cannot be changed. (c.1005)

He thus casts anti-Clause speakers making this argument as ‘promoters’ of

homosexuality, while his use of *confronted* in the non-report conjures aggression:

There is absolutely no need for me to stand here and apologise for seeking to prevent local government from doing something that I know that it should not be doing. I see no need to apologise for making it less likely that people are confronted by **homosexual** propaganda. (c.1006)

Nicholas Bennett put a ‘respectable’ slant on the proceedings:

We do not seek to deny that there are many homosexuals in the country. I do not want to preach, because it is invidious to do so, but an equally valid view is held by Christians, who hold to the teachings in the Old and New Testaments and believe that the **homosexual** act is intrinsically immoral and evil. That is a respectable view, even if Opposition Members do not accept it. We should not be browbeaten into accepting the argument that we should not seek to promote what most people believe to be the norm in our society, which is a heterosexual loving relationship. (c.1015-6)

His contrasting of *the homosexual act* (as if there was only one way of having sex) and *a heterosexual loving relationship* epitomises the pro-Clause polarisation of the two categories.

*Heterosexual* was also used proportionately more by pro-Clause speakers and is contrasted with *homosexual* in all lines. Two occur in Harry Greenway’s reports of Ealing council’s recommendation that *homosexual* and *heterosexual relationships* be treated as equally valid, while Nicholas Bennett’s reference to “*heterosexual teachers* who abuse children” followed his report of “*homosexual teachers* who abused their position” (c.1015). The last line occurs in Nicholas Bennett’s polarisation quoted above. The pro-Clause polarisation of *heterosexual* and *homosexual* was stark: valid v invalid, moral v immoral, good v evil.

Overall, the adjectives illustrate the pro-Clause focus on a narrow range of polarising claims, in contrast to the anti-Clause highlighting of difficulties faced by lesbians and gay men in society and under the Clause.

\* \* \*

Of the nouns for people, *homosexuals* was the most used overall and proportionately more so by pro-Clause speakers:

NOUNS for PEOPLE	Total Uses	Anti-Clause Uses	Anti-Clause % Debate Words	Pro-Clause Uses	Pro-Clause % Debate Words
homosexuals	28	17/28 (60.7% total) 9/17 (52.9% uses)	72.5%	11/28 (39.3% total) 5/11 (45.5% uses)	27.5%
homosexual	3	1/3 (33.3% total)	72.5%	2/3 (66.7% total) 1/2 (50% uses)	27.5%
heterosexuals	3	3/3 (100% total)	72.5%		27.5%
lesbians	15	13/15 (86.7% total) 6/13 (46.2% uses)	72.5%	2/15 (13.3% total) 2/2 (100% uses)	27.5%
lesbian	1	1/1 (100% total)	72.5%		27.5%
gays	1	1/1 (100% total) 1/1 (100% uses)	72.5%		27.5%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use

Reports account for 5/11 pro-Clause lines (Appendix 18): Harry Greenway's of Ealing council's lesbian and gay committee and David Wilshire's of arguments against the Clause. Few topics are covered: claims of promotion (3 lines), denials of malevolence (6 lines), plus Michael Howard's rejection of Labour's anti-discrimination amendment (2 lines). Negativity pervades the lines:

<i>attack on</i> (4 lines)	<i>against</i> (3 lines)	<i>WRONG</i> (2 lines)	<i>criticism of</i> (1 line)
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While *attack* and *against* are collocates (Appendix 17), *WRONG* is a keyword. In seven lines the negativity applies directly to *homosexuals*, which undermines the denials of malevolence. These direct applications, plus Harry Greenway's uses of *for homosexuals*, position *homosexuals* as the recipients of others' actions, which in 10/11 lines undermine the protection of children argument. *Homosexual* is also a singular noun in two lines. One occurs in Harry Greenway's report:

Only last week I received complaints in my surgery from parents who said that a **homosexual** recently appointed to a school makes up his face in front of the children, and they object to that. One has to support them. That is wrong. I do not believe Opposition Members would say otherwise. If they do not support it they should stand up and say that it is wrong. (c.1001).

While the authenticity of this hearsay is dubious, the censure is palpable and links directly to angst about male-gender boundaries. The other line occurs in Michael Howard's denial: "Nothing in clause 27 will put a *homosexual* at a

disadvantage compared with any other person” (c.1017). Alongside the denials in the lines for *homosexuals*, this suggests a sensitivity to being seen as prejudiced, yet these most negatively associated nouns refer to people. Conversely, the non-use of *heterosexuals* relates to the pro-Clause taken-for-grantedness (Voloshinov 2012: 163-4; van Dijk 2008a: 170-1) of heterosexuality’s naturalised status such that it was not applied to people as a sexual identity.

The only other pro-Clause noun for people is *lesbians* (Appendix 18). Both uses occur in reports: one of a meeting organised by the Ealing lesbian and gay committee in which *lesbians* is paired with *homosexuals*; the other of Labour’s anti-discrimination amendment in Michael Howard’s dismissal (discussed above). That all pro-Clause uses of *lesbian(s)* and *gay* occurred in reports suggests complete non-recognition of these positively self-chosen identities.

\* \* \*

The anti-Clause uses of nouns for people are more varied. Of the lines for *homosexuals* (Appendix 20), 9/17 occur in reports. Three report David Wilshire’s claims in Committee in questions about promotion, another reports Conservative MPs in general in a criticism of the Clause. The other five occur in arguments presenting *homosexuals* as victims:

James Baldwin [...] wrote two books, [...] which undoubtedly celebrate the fact of homosexuality and the relationships of **homosexuals**. They also explore the torment that is faced by many because of the social pressures that are forced upon them as **homosexuals**. (Chris Smith c.1007)

That group conducted a major, in-depth survey of over 400 young **homosexuals** between the ages of 15 and 21. [...] Its conclusions were horrifying. It was not propaganda, but the result of scientific analysis of what happens to young lesbians and gay men living in the city. [...]

The survey conducted by the Gay Teenage Group showed that 42 per cent. of children who turned to their parents were rejected, were told that they were suffering from some sort of disease and were virtually excluded from the family. [...] The survey revealed that at school 25 per cent. of young **homosexuals** felt isolated, that 21 per cent. suffered verbal abuse, that 12 per cent. were beaten up and that 7 per cent. felt ostracised. How will the amendment tackle that?

(Ken Livingstone c.1011-12)



My hon. Friend the Member for Brent, East (Mr. Livingstone) read a statement that I hope many hon. Members found chilling. Conservative Members remember exactly what the Nazis did to **homosexuals**. [...] They herded them into concentration camps and liquidated them.

(Tony Banks c.1022)

The combination of passivity and negative terms is striking:

<i>torment</i>	<i>rejected</i>	<i>excluded</i>	<i>abuse</i>	<i>chilling</i>
<i>forced upon</i>	<i>suffering</i>	<i>isolated</i>	<i>beaten up</i>	<i>concentration camps</i>
<i>horrifying</i>	<i>disease</i>	<i>suffered</i>	<i>ostracised</i>	<i>liquidated</i>

The use of 'victim' arguments is understandable, but adds to the negativity.

Negativity is also evident in the non-reported lines (*rampaging, crime, sadly, struggled*) and that for *homosexual* as a singular noun (*disturbed and troubled*):

I ask him sincerely and honestly whether during his 22 years of teaching he was ever approached by a child who thought that he or she was a **homosexual** or **lesbian** who was disturbed and troubled by it and needed his advice and guidance.

(Claire Short c.1001)

That the lines occurred in arguments supporting people does not dissipate the negativity. This loading of negativity onto *homosexual(s)*, albeit many in reports, supports Bakhtin's (1935: 293-4) view that the evaluative aspects of words derive from other people's use of them. Thus the clinical baggage and stigma associated with the clinical *homosexual(s)* offered a repository for the negativity when defending people.

All three anti-Clause lines for *heterosexuals* are paired with *homosexuals*.

They occur in arguments against promotion, sexual abuse and advertising:

**Homosexuals** do not happen as a result of campaigns for their promotion, just as **heterosexuals** are not suddenly brought into active heterosexualism by having a campaign on their behalf.

(Simon Hughes c.993)

There is no evidence of any greater incidence of crime against young people by **homosexuals** than by **heterosexuals**.

(Simon Hughes c.994)

On the contrary, such is the all-persuasive and all-pervasive culture of heterosexuality in advertising and the media that it is **homosexuals** who have struggled habitually to become **heterosexuals**.

(Joan Ruddock c.1003)

All uses attempt to equalise conceptions of *homosexuals* and *heterosexuals* and thus dislodge heterosexuality's privileged status.

The anti-Clause uses of *lesbians* were paired with *gay* in 11/13 lines and with *homosexuals* in one (Appendix 20). Thus *gay* and *men* are top collocates (Appendix 19). The one independent use of the term occurs in Ken Livingstone's report of the popular press (c.1010 quoted above). In contrast to the uses of *lesbian* as an adjective, the preceding phrases in nine lines position lesbians (and gay men) as passive:

<i>recognition of</i>	<i>taught how to be</i>	<i>what happens to</i>
<i>attacks on</i>	<i>prejudice against</i>	<i>deeply offensive to</i>
<i>raise the rights of</i>	<i>reality of life for</i>	<i>statements made about</i>

Half these phrases are negative. Negativity is also present in Ken Livingstone's report from the Gay Teenage survey that one in five "young *lesbians* and gay men had attempted" suicide (c.1011) and in Joan Lester's report of Conservative MPs who thought "*lesbians* and homosexuals" should not be allowed into schools (c. 1023). It is also present in Claire Short's use of *lesbian* as a singular noun (c. 1001 quoted above). While the lines occur in supportive arguments, *lesbians* is less positively associated than *lesbian* as an adjective; this distinction is also evident between *homosexual(s)* and *homosexual*, but not between *gays* and *gay*.

Overall, the nouns for people illustrate the anti-Clause presentation of lesbians and gay men as victims of social beliefs and oppression, in contrast to clear indications of pro-Clause malevolence.

\* \* \*

To summarise: the anti-Clause lines for *lesbian(s)*, *gay(s)* and *sexuality(ies)*

occur in the most supportive arguments of which the core focus is quality of life. This positions the terms as markers of familiarity and support—as gay-friendly. By contrast, the pro-Clause lines for these terms occur in critical or defensive statements and all in reports. The clinical terms were used proportionately more by pro-Clause speakers and were more negatively associated on both sides. A comparison of each side’s use of these terms in reports shows how they vary:

	TOTAL	PRO-CLAUSE USE	ANTI-CLAUSE USE
CLINICAL TERMS	146	52/146 (35.6% from 27.5% debate words)	94/146 (64.4% from 72.5% debate words)
REPORTED CLINICAL TERMS		25/52 (48%)	37/94 (39.4%)
GAY-FRIENDLY TERMS	126	17 (13.5% from 27.5% debate words)	109/126 (86.5% from 72.5% debate words)
REPORTED GAY FRIENDLY TERMS		17/17 (100%)	39/109 (35.8%)

The larger overall proportion of pro-Clause reports, indicates lack of spontaneous engagement with sexuality issues as opposed to allusions to sexual activity. This suggests a disdain for talking openly about sex and sexuality while utilising them for political ends. By contrast, anti-Clause speakers’ more frequent uses of gay-friendly terms and fewer reports indicate not only their greater familiarity with sexuality issues, but also that they were resisting the Clause in these terms. However, the machinations behind the Clause introduction and its overt anti-Labour use in the debate by Michael Howard, emphasise the extent to which anti-Clause speakers were caught unawares.

### **Associations and Implications**

The themes emerging from this analysis fall into two strands. The first concerns the relation of sexuality terms to social change. The second concerns the social power of widely-shared beliefs.

The clinical terms, *homosexuality*, *homosexual* and *homosexual(s)*, were negatively associated by both sides of the debate, particularly *homosexual(s)*. The

perception that *homosexual* and *gay* are less comfortable as nouns is mentioned by Zwicky (1997: 22) and Baker (2005: 22). In this debate, *lesbian(s)* as nouns were also more negatively associated. However, anti-Clause speakers' extensive use of 'victim' arguments positioned the negativity in society, while pro-Clause speakers associated the negativity more strongly with *homosexual(s)* than the other clinical terms. More positively, as adjectives *lesbian* and especially *gay* were associated with local and community initiatives, an association also found by Baker (2004b: 92-3/2005: 24) in an analysis of *gay* in the BNC. With anti-Clause speakers' greater use of these adjectives and pro-Clause uses confined to reports, they were more positively associated than the clinical terms overall. This suggests that while the clinical terms retained their heritage of sin and crime, the uses of *lesbian* and *gay* by mainly heterosexual speakers marked social change. The spontaneous anti-Clause uses of these adjectives marked an acceptance of positive, self-chosen *lesbian* and *gay* identities within the changing "repertoire of social meanings and choices available" (Cameron 1990: 90). Conversely, pro-Clause speakers' non-spontaneous, reported uses of *lesbian* and *gay* marked their non-recognition of the positive associations and their resistance to social change. This absence of spontaneous use also protected the adjectives from the more negative associations which surrounded their more spontaneous uses of the clinical terms. This exemplifies Voloshinov's (1986: 106) summary of the struggle that emerges between new uses of words and old evaluations, as well as Bakhtin's (1981: 294) account of the non-appropriation of words.

The centuries of negative meanings attributed to same-sex sex and lodged in the social belief system impeded this process of social change. In addition to pro-Clause speakers' greater use of the clinical terms were their references to: *sodomy and buggery* (c.993), *activities* (c.1001; c.1021), *activity* (c.1005), *behaviour*, *behave* (c.1006), *act(s)* (c.1015; c.1017) and *practices* (c.1021), which show their frame of reference was sexual activity. This has its origins in pre-

sexology notions of sin and crime, while their uses of *private* (quoted c.996; c.1006) invoke the conditions of the 1967 Sexual Offences Act. The pro-Clause non-recognition of lesbian and gay relationships and identities excluded lesbian and gay lives from consideration. By contrast, the anti-Clause frame of reference was people's lives in which sexual identity was recognised and supported. This relates to Baker's (2004b/2005: Ch.2) finding that *homosexual* was associated with sexual acts in homophobic discourses, while *gay* was associated with identity in reformist discourses.

In terms of shared beliefs, pro-Clause speakers, less so Michael Howard, cast homosexuality and/or homosexuals as: *uncivilised* (c.993), *insidious and dangerous* (c.1000), *wrong* (c.1001; c.1002), *evil* (c.1009; c.1015), and *immoral* (c.1015), while homosexual relationships were cast as *disgusting* (c.994), *invalid* (c.999; c.1002), and *unacceptable* (c.1017; c.1018; c.1019). The final pro-Clause contribution to the debate was Elaine Kellett-Bowman declaring "I believe that intolerance of evil should grow" (c.1024). No reasons were given. No evidence was cited. The repugnance was taken-as-given. By contrast, anti-Clause speakers based their case on lesbians and gay men as people. Their examples referred to the experience of specific groups or individuals who were already affected by the social beliefs and would be further affected if the Clause was enacted. However, both the under representation of lesbians and the indication of greater hostility towards 'homosexual' men are notable (and recur in subsequent chapters). That anti-Clause speakers' more reasoned and realistic approach had no impact on the debate's outcome, shows the power of beliefs about homosexuality that pro-Clause speakers were able to draw on in addition to their parliamentary majority.

This taken-as-given stance also applies to beliefs about childhood. The basic pro-clause argument was the protection of children. In response to Harry Greenway's repeated assertion that "children should be protected", Tony Banks asked "From what?" (c.1000), to which the reply was "From any insidious and

dangerous influences, such as homosexuality". While this concern seems to be rooted in middle-class Victorian views of childhood innocence (Evans 1993: 211-212), the belief that acceptance of lesbian and gay relationships were a danger was presented in terms of sexual motivation. Jill Knight's references to "poor parents, whose only wish was to protect their children and complain about what was happening to them" (c.1000) and to the "objection of parents in those local authorities, of what has been done to their children" (c.1007) insinuated sexual abuse. There was no pro-Clause example of harm to children. The pro-Clause children constituted an idealised category removed from any concern for real children. Thus anti-Clause arguments for the protection of real children and teenagers, some of which cited examples of actual harm, were not acknowledged. Protection of the ideal was paramount, but the power of the protection argument rested on the pro-clause frame of reference in sexual activity.

In the wider political context, the protection argument extends to other ideals: heterosexuality, 'the family', conservatism, capitalism, and protection of the nation from communism in the final throes of the Cold War, but none of these could have drawn on a more powerful and pervasive system of belief than homophobia to target political opponents.

### **Conclusion**

This chapter shows how easily negative beliefs about a category of people, especially where those beliefs have a very long history, can be drawn upon in the service of other politically expedient agendas. The political context of the Clause shows how the exploitation of homophobic beliefs, led by the Murdoch press, before the 1986 local elections and the 1987 general election, was an exercise in political scapegoating. It is clear in the attendant debates on local government (HC 5.12.1986 & HL 4.2.1987) that Labour's support for CND, peace groups,

withdrawal from NATO, the ANC, SWAPO and Sinn Fein were among the prime targets. Labour's support for lesbians and gay men was less prominent in these debates. As it was the metropolitan Labour councils that implemented Labour policy most actively, placing the Clause in a Local Government Bill was pointed. This aspect of the Clause's political context is acknowledged in the research reviewed, but is not explored. In addition, none of the studies reviewed involve language analysis and only two refer specifically to parliamentary debates.

The debate analysed in this chapter shows that anti-Clause MPs were aware of the agenda to gain political advantage via the mobilised homophobia, but were caught in the social power of the mobilised beliefs. Their more reasoned arguments and better supported examples were ignored or distorted in favour of dubious claims and allusions. This, and the Conservative majority, ensured the opposition amendments were excluded and the Clause was passed. The Words and Themes section of the analysis reveals additional aspects of the pro- and anti-Clause speakers' positions via the statistically significant keywords and keyword collocates they used. The anti-Clause keywords *OR* and *WILL* reveal the extent of speakers' uncertainty about the nature and applications of the Clause. The pro-Clause keywords *I* and *WAS* reveal the extent of speakers' reliance on personalised statements and reported speech, views, situations or events, often on the basis of generalised hearsay. These widely collocating grammar keywords yield useful insights, yet they would have been taken for granted in a content analysis. The concordance line and collocate analyses in the Views of Sexuality section identifies the differing associations of each side's use of terms linked to sexuality. The clinical terms were more used by pro-Clause speakers and more negatively associated than other terms by both sides, but while the anti-Clause negativity was located in *SOCIETY*, the pro-Clause negativity, strongest in uses of *homosexuals*, was premised on allusions to sexual acts, abuse or corruption. By contrast, the clinical terms' naturalised counterparts were little used by either

side. The pro-Clause non-use of *heterosexuality* and *heterosexuals* illustrates its taken-for-granted status, while speakers' polarised pairing of *heterosexual* with *homosexual* compounds their negativity. The two sets of terms' were also mostly paired by anti-Clause speakers, but in more comparative ways, while their uses of *heterosexual* attempted to dislodge the taken-for-granted superiority of heterosexuality. The most positively associated terms, the anti-Clause keyword GAY plus *lesbian(s)* and *sexuality*, were premised on identity, while *lesbian(s)* and GAY were associated with community initiatives. Pro-Clause speakers' uses of *gay*, *lesbian(s)* and *sexuality* were few and occurred solely in reports. The overall implication of these uses is that the clinical terms were retaining their negative heritage, specifically adhered to in the pro-Clause view, while the gay-friendly terms, used by supportive and mostly heterosexual speakers, were a marker of social change. As Voloshinov (1986 [1929]: 19) argued "the word is the most sensitive *index of social changes*, and what is more, of changes still in the process of growth, ...."

The period 1986-1988 was one of struggle against powerful negative images, propagated and inflated by the press and the Conservative party. The Clause was enacted, yet its unworkability in law rendered it symbolic which, with its lack of use, offers further support for its ulterior purpose. However, what the Conservatives underestimated was the extent to which social change had already taken place. It was from the notorious enactment of Section 28 that campaigns for legislative reform began in earnest. The next chapter analyses the first major attempt to equalise the age of consent for gay men.



## Chapter 6

### The Age of Consent (1994)

The fall of the Berlin Wall late in 1989 marked the end of the Cold War and brought about the rise of European integration. Conservative divisions over the UK's relationship to Europe and social discontent over the Poll Tax caused Margaret Thatcher's leadership to be challenged. She resigned in November 1990 and John Major took her place. The Major government was less confrontational than the Thatcher government. It was also weaker; the Conservative majority shrank to 21 after the 1992 election. Two early departures from Thatcher policy were replacement of the Poll Tax with Council Tax, which returned local taxation to rates based on property value, and the opening of talks with the IRA, which prefaced the peace process in Northern Ireland. At the start of his leadership, Major promised to keep Britain at the heart of Europe, which led to increasing discontent among anti-integration MPs. The Maastricht Treaty was agreed late in 1991 and signed early in 1992. Major negotiated the UK's exclusion from the Social Chapter because Conservatives saw it as a socialist charter. In September 1992, the UK had to withdraw from the EERM, precursor of the Euro, because currency speculators had targeted a weakened pound. This bolstered the anti-EU position. The first vote to ratify the Maastricht Treaty (HC 22.7.1993) was lost: in protest against the Social Chapter's exclusion, Labour and Liberal Democrat MPs voted with anti-EU Conservatives. Major held a vote of confidence the next day and won, but his position was weakened. Thereafter anti-EU MPs challenged his leadership repeatedly, while the press became increasingly hostile.

This chapter focuses on the first attempt to equalise the age of consent in 1994, its parliamentary consideration having been prompted by an application to

the ECtHR. A review of relevant research is followed by a summary of the issue's parliamentary passage and an account of the arguments deployed in the selected debate. Comparisons of each side's top-ten keywords and of the sexuality terms used are followed by a discussion.

### **Political Context**

In response to the enactment of Section 28, a group of lesbians and gay men founded Stonewall in 1989. It was set up as a professional lobby group with an agenda for Equality 2000 which prioritised legal reforms. Under the Major Government, both attempted and actual reforms constituted incremental change (Appendix 1). Waites (2000: 3) points to a lack of research on this period, but acknowledges it marked a "shift in the balance of forces which generated Section 28". He argues that the values of Conservative moralists and traditionalists were different from those of younger Conservatives. However, as Durham's (1994) article shows, conflict between pragmatist and moralist Conservative factions became more public in the period, as did that between pro- and anti-EU MPs.

With Stonewall's support, a legal challenge was launched to reduce the age of consent for sex between men from 21 to 16 and bring it in line with that for heterosexual sex. The case of *Ralph Wilde, Hugo Greenhalgh and Will Parry* was registered at the ECmHR on 29.7.1993. In December, the Government promised a free vote on the issue. Meanwhile, the EU Parliament was adopting a position on lesbian and gay issues. On 26.1.1994, the Parliament's Committee on Civil Liberties and Internal Affairs published a report which, among other recommendations, "called on Member States to abolish all legal provisions which criminalise and discriminate against sexual activities between persons of the same sex, and to apply the same age of consent to homosexual and heterosexual activities alike" (HC Research Paper 98/68: 57). On 8.2.1994, a resolution

supporting the report was passed by 159 to 96 MEPs (*ibid*). This approval of the report was encouraging (Pink Paper 11.2.1994).

Although the prospect of a ECtHR case had prompted Major's promise of a free vote, proposals to reduce the age of consent for sex between men were not new in Britain. Successive recommendations had been ignored by the Thatcher Government. The Home Office Policy Advisory Committee had recommended a reduction to 18 in 1979 and its 1981 report was endorsed by the Criminal Law Revision Commission in 1984. The Law Commission had also provided for a reduction to 18 in its draft Criminal Code of 1988-9. More comprehensively, the Howard League for Penal Reform had recommended an equal age of consent for all and a complete revision of consent law in 1985 (HC Research Paper 98/68: 9-13). In addition, the Labour Party had promised a free vote on the issue in its 1992 election manifesto and had voted to support an equal age of consent at 16 at its 1992 Party conference (*ibid*: 53).

An amendment to equalise the age of consent at 16 was introduced into the Criminal Justice and Public Order Bill 1994. It was narrowly defeated, but a second amendment to reduce the age to 18 was passed and became the major reform of the period. The Criminal Justice and Public Order Act revised a wide range of court, police and prison powers. It had twelve parts and ran to 172 sections; the reform was included in Part XI, Section 145:

145 Age at which homosexual acts are lawful

(1) In section 1 of the [1967 c. 60.] Sexual Offences Act 1967 (amendment of law relating to homosexual acts in private), for "twenty-one" in both places where it occurs there is substituted "eighteen".

(2) In section 80 of the [1980 c. 62.] Criminal Justice (Scotland) Act 1980 (homosexual offences), for "twenty-one" in each place where it occurs there is substituted "eighteen".

(3) In Article 3 of the [S.I. 1982/1536 (N.I. 19).] Homosexual Offences (Northern Ireland) Order 1982 (homosexual acts in private), for "21" in both places where it occurs there is substituted "18".

(Criminal Justice & Public Order Act 1994, c.33, Part XI Sexual Offences: Homosexuality)

By the time the Government had to submit its case to the ECmHR (28.3.1994), a change in the law was underway. By the time its second submission was due (10.11.1994) the age of consent had been reduced to 18. As the applicants were over 18 when the Commission reconsidered the case (19.1.1995) it was ruled inadmissible. A new case for equalisation had to be brought. The case of Euan Sutherland v UK was ruled admissible (21.5.1996). In 1997, the newly elected Labour Government submitted that it would propose equalisation in 1998. An amendment to the Crime and Disorder (Amendment) Bill 1998 was passed in the Commons (22.6.1998) but defeated in the Lords (22.7.1998), as was a proposal in the Sexual Offences (Amendment) Bill 1999 (HC 1.3.1999; HL 13.4.1999). The Bill was brought back to the Commons a year later and finally enacted via the Parliament Act without the Lords consent (30.11.2000). When Sutherland v UK came before the ECtHR (27.3.2001), there was no case to answer.

### **Relevant Research**

Most research on the age of consent debates concerns the battles for its equalisation in 1998-2000. Two studies (Ellis and Kitinger 2002; Epstein *et al* 2000) include the 1994 debate(s) in wider analyses, while Waites (1995) offers a fully-contextualised analysis of the 1994 arguments.

Ellis and Kitinger (2002) include unspecified 1994 debates in a composite analysis of arguments opposing equality from a human rights perspective. They identify three major themes: the “Principles of right and wrong take precedence over equality: there can be no ‘equality’ between normality and abnormality, moral probity and sin” (*ibid*: 171-2); the “Principles of democracy take precedence over equality: the majority of the population opposes any lowering of the age of consent” (*ibid*: 172); the “Principles of care and protection take precedence over equality: young men are immature and vulnerable and need the protection of the

law” (*ibid*: 173). These themes need to be treated with caution. The authors’ data sources cover a wide period and are generalised: unspecified Hansard transcripts from 1994, 1998, 1999, plus “for example” newspapers including some from the gay press (*ibid*: 171), none of which are referenced (*ibid*: 177-180). Thus the analysis is limited by the authors’ failure to distinguish between them.

That there were differences between 1994 and 1998 at least, is evident in Epstein *et al* (2000) whose narrative analysis compares the Commons debates of 22.6.1998 and 21.2.1994. They found that stories dominant in 1994 had become harder to tell by 1998, while stories that were “virtually untellable in the public domain in 1994 [were] emergent in the Commons of 1998” (*ibid*: 10). The less dominant stories in 1998 were those representing gay men as predatory (*ibid*: 15-17). Modified stories related to sexual identity being fixed at a certain age in that sexual orientation was seen as less innate by 1998 (*ibid*: 17-18). Emergent stories related to a qualified acceptance of equality which preserved heterosexual institutions (*ibid*: 19-20). The authors argue that equality was recognised as a legitimate concern in 1998 and unmitigated bigotry less freely spoken, but that equality in law is not civil equality. Thus they warn against overestimating the ‘transformation’ (*ibid*: 24).

Waites’ (1995 Ch.3) analysis of the 1994 debate includes three sources of data: campaign materials, press coverage and the Commons debate (21.2.1994). His focus is on knowledge claims in the arguments used, specifically essentialist v constructionist views of sexual identity and their effectiveness in campaigns for lesbian and gay equality. In analysing the anti-equalisation arguments he selects the ‘seducing older homosexual’ as the dominant theme. His review of the press reports against equalisation surrounding the Commons debate (*ibid*: 68-73<sup>1</sup>) shows how arguments for the protection of teenaged boys from homosexual corruption were linked to polarising categories :

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In the schema which emerged, heterosexual sex was linked to equality of consent, whereas homosexual sex involved power and inequality. 'Hetsex' was linked to the family, 'Homosex' took place between strangers. 'Hetsex' was between people of the same age, 'Homosex' between different generations. Sometimes it appeared that 'homosexual' and 'teenager' were mutually exclusive categories...

(Waites 1995: 74)

This "catalogue of binarisms [...] rendered homosexuality inferior, discrediting claims to equality by association with stigmatised practices" (*ibid*: 75). He then considers the relevance of social constructionism to this polarisation. In the Commons, for speakers who saw sex between young men as corrupting, an age at which sexual identity might become fixed mattered. Opponents of equalisation argued that sexual identity may not be fixed by the age of 16. This coincides with social-constructionist thinking and with the experience of individuals whose sexual identities do not universalise in this way. Thus, in constructionist terms, Waites suggests the opponents of equalisation had the better argument. He sees the 'seducing older homosexual' as a metaphor for anxieties about the origins of homosexuality and the social effects of legal change. Nevertheless, because the opponents saw homosexuality as threatening, they supported the criminalisation of consensual sex between young men.

In analysing the pro-equalisation arguments, Waites reviews Stonewall's 1993 leaflet 'A Case for Change' which was widely distributed to MPs before the debate. It made no reference to constructionist views. Instead, it adopted the Wolfenden Report's 1957 view that an individual's sexuality has its origins in early childhood and is usually fixed by the age of 16. This was supported by the BMA and RCP, neither of which offered an account of sexual identity formation. He acknowledges Stonewall's adoption of this position was a pragmatic move. It allayed fears that equalising the age of consent could result in more gay men and endorsed the view that the law could not deter young men from being gay. He emphasises that his purpose is not to criticise Stonewall, which made the most

coherent and successful case for equalisation, but to highlight the absence of constructionist arguments:

Yet in the first debate on positive homosexual law reform for decades, there was no evidence of increased awareness of the cultural specificity of the nuclear family and compulsory heterosexuality, nor any attempt to suggest what the long term effects of a change in the law upon sexual identities would be.

(Waites 1995: 94)

In the Commons, arguments for the beneficial effects of equalisation focused on short-term needs, such as safer-sex education, suicide prevention, counselling availability and reduced discrimination. Waites sees these as the most successful pro-equalisation arguments. He sees the failure to articulate a clear model of longer term social change as a major reason why the vote was lost, but accepts that this assumes “a correct argument is the most likely to succeed” (*ibid*: 95).

This is a question of means and ends. As Epstein *et al* (2000) argue, some stories were untellable in 1994. The lawyers and barristers among Stonewall’s founders were well placed to gauge what was achievable in Parliament. Waites may also be inflating the impact of argument on entrenched beliefs and interests. He does not consider other influences on knowledge and belief formation, such as repeated exposure, emotional allegiance, or personal experience, which may not be open to rational argument. He also neglects wider political interests such as anti-EU views. Nevertheless, he offers a careful and grounded analysis of the arguments. The same Commons debate is analysed below, but with greater focus on situating the arguments in their socio-political and historical contexts and the significance of lexical divisions between each side of the debate.

### **The Passage of the Amendment**

At the second reading of the Criminal Justice and Public Order Bill (HC 11.1.1994 cc.20-122), Edwina Currie, a former Conservative Health Minister,

announced her intention to table an amendment to equalise the age of consent at 16 that would apply across the UK (cc.67-9). The cross-party amendment was drafted by Edwina Currie, Neil Kinnock, Mo Mowlem and Robert Maclennan. The free vote was held on 21.2.1994, but the amendment was narrowly defeated by 307 to 280 votes. This debate is analysed in full below. Most Labour and Liberal Democrat MPs, plus 43 Conservatives, voted for 16; 35 Labour MPs voted against it. A subsequent amendment to reduce the age to 18, tabled by Anthony Durant, was passed by 427 to 162 votes. Of the 154 MPs who opposed both amendments, 134 were Conservative, 11 Unionist, six Labour, two SDLP and one SNP. When news of the defeat reached lesbians and gay men holding a candlelit vigil outside Parliament there was shock, followed by uproar and a march to Downing Street for a sit-in (Pink Paper 25.2.1994). By contrast, the Times (Webster 22.2.1994) reported that some Tory MPs were so angered by the vote for 18 that they were threatening to vote against the whole Bill—though when the Bill was finalised (HC 12.4.1994 cc.35-80 & 13.4.1994 cc.214-395) no rebellion transpired.

The Bill's second reading in the Lords took up two sessions (25.4.1994 cc. 380-402; cc.413-510). In the second session, six Lords highlighted the age of consent as an issue for discussion. The Committee stage of the Bill took up 16 long sessions, one of which was devoted to the age of consent (20.6.1994 cc. 10-67). Four amendments were debated. Lord MacIntosh proposed equalisation at 16, but was defeated by 245 to 71 votes. Lord Mayhew proposed an age of 18 for all sexual practices except buggery, but withdrew. Lord Longford proposed the age remain at 21, but was defeated by 176 to 113 votes. Lord Ponsonby proposed a revision of punishments for gross indecency, but withdrew. Thus the age of 18 was unchanged. According to the Guardian (Travis 21.6.1994) "The tone of the debate was far more hostile to gays and lesbians than that which preceded the MPs' decision". The Lords debate was also little reported compared with the extensive press coverage surrounding the Commons debate.



The Report stage took up eight sessions and focused on other aspects of the Bill, but the age of consent was raised again at third reading (HL 19.7.1994 cc.143-228) in amendments to penalties for sexual offences (cc.180-189), all of which were withdrawn. Various Lords remained dissatisfied with the reform but, as the alternatives had been voted against, they could not change it. Thus when the Commons considered the Lords' amendments (19.10.1994 cc.282-396; 20.10.1994 cc.445-519) and the Lords considered the Commons' comments on their amendments (25.10.1994 cc.445-465; cc.477-525), the age of consent was not discussed.

### **The Debate**

The Commons debate was held at the Committee stage of the Bill and lasted three hours (21.2.1994 cc.74-123). Three amendments were considered: equalisation at 16, equalisation at 17, a reduction to 18, plus the status-quo position of 21. The interaction table (Appendix 21) shows this by staggering speaker allegiances from left to right: pro-16, pro-17, pro-18, pro-21. Forty-four MPs spoke, 11 made speeches: six for 16, one for 17, three for 18, one for 21.

Simon Hughes' amendment for 17 required raising the heterosexual age of consent and the minimum age of marriage; he acknowledged it was an unlikely option and voted for 16. MPs supporting 18 or 21 made similar arguments. Thus the divide was between speakers arguing for and against equalisation. Excluding two undecided MPs, 7/22 pro-equalisation speakers were women, but women accounted for only 3/20 anti-equalisation speakers. Anti-equalisation speakers were Conservative or, in the case of Ian Paisley (DUP), a Conservative supporter. Pro-equalisation speakers came from all three main parties. There was also a pro- and anti-EU divide. Pro-equalisation speakers cited European countries as positive examples, while anti-equalisation speakers affirmed UK sovereignty.

Edwina Currie opened the debate with a speech presenting the issue as one of human rights and “enforced discrimination” (c.75). UK law was out of step with equal, lower and unproblematic ages of consent in other countries and unlikely to survive a challenge in the ECtHR which, she pointed out, “we helped to set up in 1953” (c.75). She argued that consensual sexual practices are no business of the law. With reference to HIV prevention, she cited the BMA on the health benefits of 16, the WHO on openness facilitating safer sex, and the Lancet on sex education. She fended 15 interruptions with alacrity: 13 of which were from members of her own party and hostile. They focused on: protecting young men, unequal sexualities, child abuse, buggery, STDs, unnatural sexual activity, and the immaturity of 16-year-old boys. The hostility was premised on sexual acts; Edwina Currie’s speech was premised on sexual identity. On sexual identity formation, she cited the Wolfenden Report’s 1957 claim that “the main sexual pattern is laid down in the early years of life [and usually fixed] by the age of 16” (c.79). On the claim that 16-year-old boys would be vulnerable to seduction by older men she commented, “No-one seems equally bothered about rapacious, middle-aged heterosexuals chasing young girls” (c.80). She concluded the image of gay men was changing, they are the human beings “we all know [...] even if he has not declared himself”, then hailed equality as “the only worthwhile and sustainable position” (c.81).

It was a positive speech, but the numerous interruptions with which she had to deal, plus her attempts to pre-empt anti-equalisation arguments, brought much of their agenda into play. An example is her use of ‘boys’ in an attempt to pre-empt the claim that teenage boys are less mature than girls. ‘Boys’ was then intermittently used by speakers on both sides in other contexts. This infiltration of ‘boys’—sometimes ‘young boys’, instead of ‘young men’, helped to keep anti-equalisation claims of immaturity and arguments for protection ‘in the air’. As Bakhtin (1981: 280) observed, the word forms “itself in the atmosphere of the

already spoken”. Naming is significant (Wodak’s 2003: 140); the uses of ‘boys’ on both sides of the debate surreptitiously contributed to undermining the pro-16 case by constructing the referents as immature. Similarly, Edwina Currie was first to use ‘uncertain’ in relation to sexuality which, intermittently taken up by various speakers, contributed to keeping anti-equalisation doubts about sexual identity formation ‘in the air’. That her inaugural uses of ‘boys’ and ‘uncertain’ were not in response to prior interruptions (though they prompted subsequent interruptions), suggests the extensive press coverage preceding the debate (see Waites *ibid*) had set the Commons agenda.

The amendment was seconded by Neil Kinnock who saw the issue as one of gender equality, equality before the law, and the promotion of safer sex in the time of AIDS. He saw the purpose of equalisation as the decriminalisation of consensual sex between young men and argued that the 1967 Sexual Offences Act had “failed to deal with the realities of sexual orientation and civil liberties” (c.82). In personalising his speech, he undermined the pro-equalisation position by giving thanks that his children were not homosexual. When asked why, he replied by portraying homosexuals as an isolated and childless minority group. On sexual identity formation he cited the Wolfenden Report, the RCP and Project Sigma. On the effect of criminalisation on young men’s access to professional advice he cited the HEA, Barnardo’s, Project Sigma and the BMA. He concluded the amendment was about “encouraging respect [and] tolerance” (c.86). His use of ‘tolerance’ rather than ‘acceptance’ conveys lack of familiarity with gay politics and residual ambivalence. That he was interrupted only five times suggests anti-equalisation MPs had little quarrel with his speech: John Butterfill agreed with much of what he said, Anthony Durant referred to his uncertainty about teenage sexuality and Michael Howard to his speaking as a parent.

Despite the undermining factors, the first two speakers made strong arguments against discrimination and criminalisation, and positive arguments

for gender equality, sexual health education and, most importantly, consent. These arguments underpinned the pro-16 case. Tony Blair focused on equality, discrimination and criminalisation. He upheld the example of other countries with equal ages of consent and related equal rights to a society with standards, principles and respect for others. Mike Watson focused on equality, human rights and criminalisation. He warned against waiting for an ECtHR judgment, and presented equalisation as an opportunity to end discrimination and increase access to advice and support. Tristan Garel-Jones focused on expert opinion in trying to sway his fellow Conservatives. He cited the BMA, THT and Barnardo's on HIV prevention and the RCP on age and maturity, then warned against the risk of an ECtHR judgment. Chris Smith focused on equality and discrimination, then refuted successive assumptions underlying anti-equalisation claims. Thus his positive affirmation that gay sexuality was equally valid and worthy followed a major focus on opposing claims.

Factors undermining the pro-16 position vary between speakers, but responses to anti-16 claims that young men required protection recur, which positions it as a sensitive area. Tony Blair cast the protection of young men from conversion to homosexuality as the sole argument for discrimination:

The argument—and the only argument—advanced to justify that discrimination and its attendant tragedy is that it is necessary for the protection of young people. Without it, it is said, young men unsure of their sexuality may be preyed upon by older homosexuals and induced to become homosexual when they otherwise would not. (c.98)

He then devoted over half his speech to disputing it. Yet, while his observation points to ulterior angst about the protection of heterosexuality, this was absent from the debate. Pro-16 speakers took the 'protection of young men' literally. Edwina Currie's protection arguments were against criminalisation, for example:

With respect to my hon. Friend, in those circumstances the worst possible thing that we can do is to make the boy a criminal, but that is what we do. There are better ways to protect our young people. (c.80)

Neil Kinnock's were for the benefits of decriminalisation, for example:

If passed, the new clause would help to protect young men. It would provide them with a basic legal framework for making vital decisions about themselves without the danger of criminality. (c.85)

Mike Watson argued equalisation would protect young men in a range of ways:

An equal age of consent would protect young gay men in a variety of ways. First, as has been said, it would improve opportunities for safer-sex education, thereby leading to a reduction in the spread of HIV. (c.105)

It would protect people who are vulnerable by facilitating increased openness and support in their families; [...] It would also reduce the enormous stress and misery involved and [...] the suicide risk, which the current law and the isolation that it causes can create. (c.106)

We have the opportunity to introduce legislation that will bring this country into line with our European neighbours. Our citizens have a right to protection from the prejudice and discrimination that I described. (c.107)

Chris Smith examined protection from multiple angles:

I must also say that those prejudices may be sincerely held, but none the less they are prejudices. One of our duties in a democracy is to protect the rights of minorities, even though those minorities may be unpopular. (c.112)

Thirdly, the argument about older men ignores the perversity of the law as it stands, which is that it may actually diminish protection for young men. A young man who is abused and exploited by an older man may be frightened of going to the police to report the incident. [...] Because that fear exists, the older man who made the advance and attempted the exploitation may be allowed to go free to do the same again. I do not think that the argument that setting the age of consent at 21 or 18 protects younger men holds water. (c.112)

The protection and the endorsement of that principle of diversity is what the new clause is all about. Let us back equality tonight, not because it is easy, not necessarily because it will win great applause from the tabloid press, but simply because it is the right thing to do. (c.113)

The pro-16 arguments were practical and reasoned. That 'protection' was taken literally pushes the status of heterosexuality into the 'extraverbal' context. It was assumed (Voloshinov 2012: 163-4) and taken for granted (van Dijk 2008a: 170-1). As Epstein *et al* (2000: 10) argue, some stories were untellable in 1994.

In proposing equalisation at 17, Simon Hughes faced interruptions from all sides. He began with a lengthy focus on an older person who “enters into a relationship with a considerably younger person” (c.88). Besides the imprecision of this statement, which discredited genuine and legal mixed-age relationships, he foregrounded an opposition argument before making any of his own. He then announced his intention to address three issues of concern: equality, protection of the young and criminality, but strayed into partnership registration, diverse Christian views and the school-leaving age. This suggests his proposal aimed to reduce the time available to anti-equalisation speakers. He concluded the choice was between 16 and 18 and hoped for equality.

In proposing his amendment for 18, Anthony Durant based his speech on sexually uncertain 16-18-year-old boys, although when asked if he felt confused about his own sexuality at 16, his denial provoked laughter. To support his case, he cited a radio phone-in, a quote from *Relate* (formerly the Marriage Guidance Council), the Policy Advisory Committee Report, a Wellcome survey of sexual attitudes and the need to amend Section 28 if the age of consent was equalised. He raised the “concern among many people about older men approaching young boys” only in passing and as unproved (c.87). Nevertheless, he stood by the idea that the law’s protection of the young should extend to 18-year-old young men. This was a flimsy case. He concluded by claiming the age of 18 was the age of male maturity and pleading for UK sovereignty against the influence of Europe.

Uncertainty underlay the other pro-18 speeches. Michael Howard focused on the Wolfenden and Policy Advisory Committee reports, notably the former’s claim that 16-year-old boys were unable to make mature judgments. His basic argument was that a young man needed time and the protection of the law to “make up his mind” (c.94). He fielded 13 interruptions, 11 from pro-16 speakers which prompted repetitive references to these official reports. In concluding, he affirmed UK independence within Europe and appealed to individual conscience.

Michael Alison focused on “the great mass who may be uncertain about their sexual orientation” (c.101) who needed more time under the law’s protection. He saw the problems with equalisation as: the removal of a legal guideline, whether enforced or not; exposure to AIDS, which led him to cite unidentified statistics on anal intercourse; the admission of 16-21-year-olds to “homosexual community organisations” (c.104), which he saw as corrupting rather than supportive. He hoped the House would ignore advice on human rights and focus on “those who are bobbing about in an uncertain sea of sexual development” (c.104).

The pro-18 focus on uncertainty is indicative. To be uncertain was to be non-heterosexual with the possibility of never becoming heterosexual, hence the importance placed on the fixing of sexual identity as a clear boundary. That the speakers were not concerned about conversion to heterosexuality exposes the underlying value judgment, exemplified in Michael Howard’s pleas for ‘time’:

At the very least, he deserves time in which to make up his mind. (c.93)

This is one of those matters on which a young man needs time. In answer to the first part of my hon. Friend's question, that young man is likely to be assisted by that extra time. (c.93)

I have said that there are likely to be, not all, but a number of young men between the ages of 16 and 18 who do not have a settled sexual orientation and who may benefit from the extra time which may be available if a new clause other than the one which the hon. Gentleman supports is passed by the Committee. (c.94)

Michael Alison concurred:

We are not concerned, however, with those whose sexual orientation is crystallised and fully formed; we are concerned precisely with the "in between" group, between the ages of 16 and 18, for whom the Home Secretary pleaded. He pleaded for a little more time for them, precisely because they have not reached the stage of crystallisation ... (c.101)

The ‘extra time’ was for socialisation into heterosexuality. That no need was seen for a higher age to apply to sex between women points to the greater importance placed on the protection of male gender boundaries.

The Reverend Ian Paisley supported 21 and gave a sermon. His dual focus was on the influence of Europe, with particular reference to MEP's support for the civil-rights report, and the teachings of the Bible. The report's supportive recommendations were cast as the "road the Committee can go down tonight" (c.114). He then warned of its threat to 'the family', society and the nation before affirming the "normal sex act within the marriage vow" as the happy way (c.114). Young boys should be "saved from going down the homosexual road [...] They need to be delivered" (c.114). He ended with a prayer that the young people of his church "will learn the 'more excellent way' [and] that hon. Members keep that point in mind as they vote" (c.115).

The free vote enabled a more genuine debate in that there was potential for MPs to make up their minds on the basis of the debate. That the pro-16 amendment was defeated by only 27 votes was an achievement to which the more reasoned and practical arguments of the pro-16 speakers contributed. However, the claims and fears of anti-equalisation speakers had an entrenched history to tap into, as the following analyses show.

### **Words and Themes**

The following analyses focus on each side's top-ten keywords (Appendices 25 & 26) and their collocates (Appendices 27 & 28). Core features of each side's contributions to the debate are shown on Flowcharts 3 and 4 below.

\*   \*   \*

On Flowchart 3, the pro-equalisation keyword *MEN* and *not*, which collocates with eight of the top-ten keywords, are pivotal. While *not* relates to matters of principle, *MEN* relates to *young MEN*'s quality of life. *MEN* is the top keyword (Appendix 26), with *young*, *GAY*, *homosexual*, *women* and *not* among its top collocates (Appendix 28).



The concordance lines for *MEN* (Appendix 29), show how far speakers' arguments were premised on sexual identity, which is clearly indicated in 39/93 lines:

<i>young GAY MEN</i> (12 lines)	<i>young boys and MEN who are GAY</i> (1 line)
<i>GAY MEN</i> (8 lines)	<i>MEN who are homosexual</i> (1 line)
<i>young GAY and bisexual men</i> (1 line)	<i>young MEN who are homosexual</i> (1 line)
<i>homosexual MEN</i> (8 lines)	<i>young MEN of 16 and above who are homosexuals</i> (1 line)
<i>young homosexual MEN</i> (3 lines)	<i>heterosexual MEN</i> (1 line)
<i>homosexual young MEN</i> (1 line)	<i>MEN, whether heterosexual or homosexual</i> (1 line)

In a further eight lines, a *GAY* sexual identity is indicated in the context:

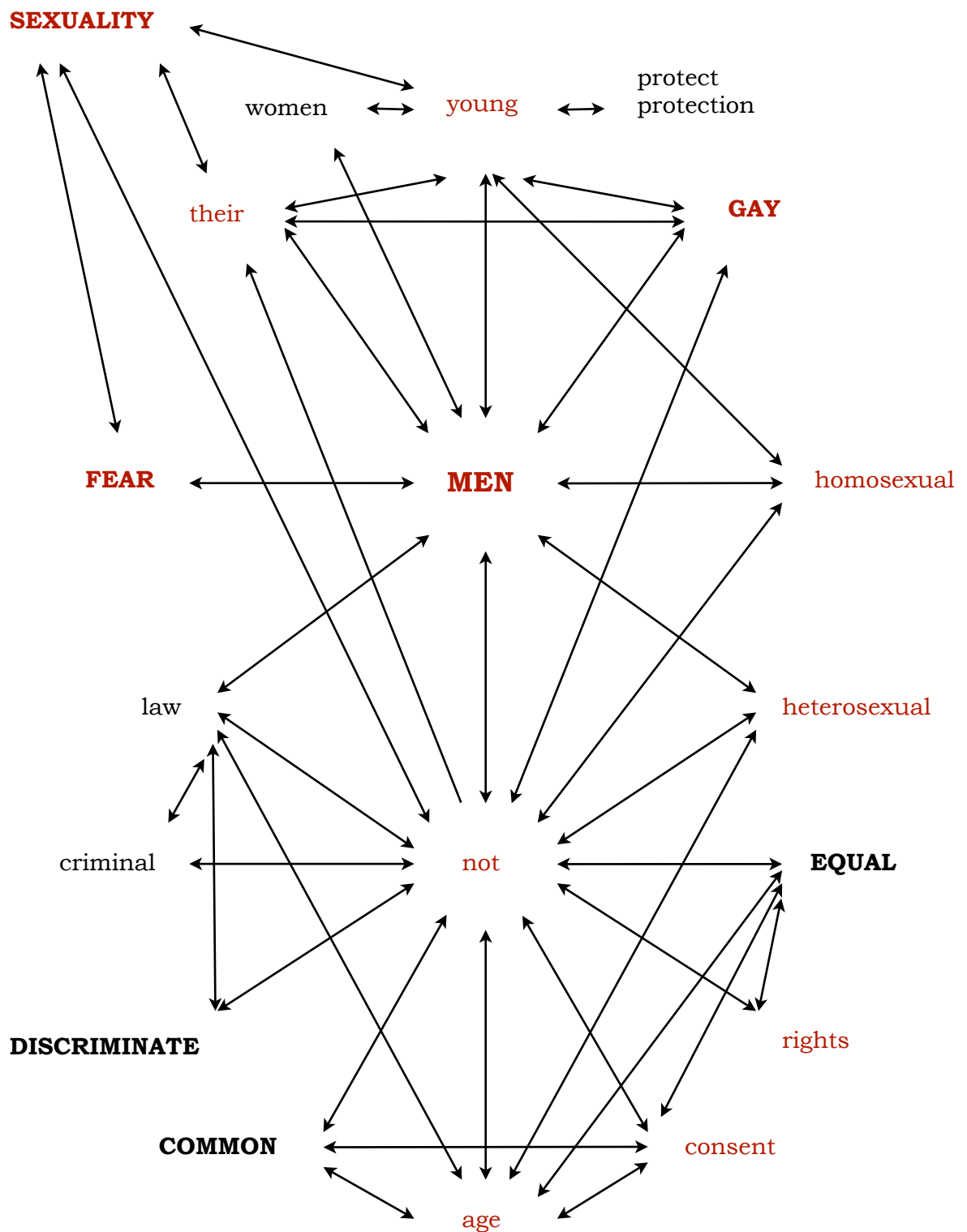
8	Last year, three young men— Will Parry, Hugo Greenhalgh and Ralph	EC 21.2.pro.txt
9	it had to be investigated. The young men found themselves in Rochester Row poli	EC 21.2.pro.txt
21	y men is at last changing. They are men whom we know, work with and whose w	EC 21.2.pro.txt
22	work we admire. They are business men, civil servants, artists, actors, soldiers, j	EC 21.2.pro.txt
39	esent law. This means that younger men are denied access to the advice which s	NK 21.2.pro.txt
51	oblem of society, not of those young men.	TBa 21.2.pro.txt
79	eterrent and does not stop younger men from having sex with other men if their	MW 21.2.pro.txt
80	ger men from having sex with other men if their sexuality tells them that they sh	MW 21.2.pro.txt

Most lines where sexual identity is evident occur in negative arguments: against discrimination (8 lines), against lack of access to safer-sex advice (7 lines) or other advice (6 lines), and against criminalisation (4 lines). Positive arguments are for equality before the law (5 lines) and for the benefits of decriminalisation (2 lines). A further six lines address uncertain sexual identity:

24	ajority and the age at which young men seem most able to decide for themselves	NK 21.2.pro.txt
44	tween the ages of 16 and 18, young men are converted to homosexuality rather t	JR 21.2.pro.txt
46	aints is something that some young men go through between 16 and 18, how doe	MM 21.2.pro.txt
48	the Home Secretary's words, young men may be unsure of where they stand bet	JL 21.2.pro.txt
49	rgument? If he is saying that young men who might be gay should wait because t	EC 21.2.pro.txt
52	people. Without it, it is said, young men unsure of their sexuality may be preyed	TBl 21.2.pro.txt

While the first line occurs in a positive argument that sees *young MEN* as able to decide *their SEXUALITY*, the others occur in arguments against criminalisation or conversion to homosexuality. A further 18 lines concern sex or relationships between *MEN* where sexual identity is not evident. Most occur in arguments against criminalisation and lack of access to sexual-health advice, for example:

Flowchart 3: Pro-equalisation Keyword and Collocate Network



key: **BOLD CAPITALS**: keywords in the top ten

**BLACK CAPITALS**: keywords

**RED CAPITALS**: sexuality-term keywords and keywords collocating with sexuality terms

black lower case: keyword collocates

red lower case: sexuality terms and sexuality-term collocates

7	risson for consensual acts with other men. The fear of being arrested and question	EC 21.2.pro.txt
13	tremely damaging. It inhibits young men from seeking help, whether through cou	EC 21.2.pro.txt
32	ry fact of criminality inhibits young men from reporting crimes against them. It i	NK 21.2.pro.txt
39	esent law. This means that younger men are denied access to the advice which s	NK 21.2.pro.txt
58	an unquantifiable number of young men who will engage in homosexual relation	TBl 21.2.pro.txt
68	p. It is entirely understandable that men in that position feel inhibited from seeki	MW 21.2.pro.txt
76	nality of the sexual activity of young men between the ages of 16 to 21 is harmful.	MW 21.2.pro.txt
78	t of 21, 18 or 17 criminalises young men, whom the law claims to protect. Ultima	MW 21.2.pro.txt

Similarly, 10/17 lines for the keyword *FEAR* (Appendix 26) stress the effects of criminalisation and discrimination on *young MEN*'s access to advice, for example:

1	onsensual acts with other men. The fear of being arrested and questioned, and pe	EC 21.2.pro.txt
2	ho hide their sexual orientation for fear of discrimination or alienation ... are pla	EC 21.2.pro.txt
3	relationships remains because, they fear, seeking professional advice from doctor	NK 21.2.pro.txt
4	y continuing criminal prosecutions, fear and the underwriting of prejudice by cri	NK 21.2.pro.txt
5	against them and they need not feel fear and outlawed. Let us tell them that they	NK 21.2.pro.txt
6	dmit their own sexuality and of the fear of imprisonment, and to any man who is	TBl 21.2.pro.txt
9	when gay men hid their sexuality in fear.	TBl 21.2.pro.txt

These negative arguments position *young MEN* as victims which is not conducive to fostering respect. A further 15 lines address the anti-equalisation protection claims, some of which note the exclusion of young *women* or girls, for example:

11	tee should take the view that young men ought to be protected longer than young	DP 21.2.pro.txt
54	ain men being preyed upon by older men, but young boys and men who are gay b	TBl 21.2.pro.txt
57	t does happen—not just with young men but with young girls, yet no one would a	TBl 21.2.pro.txt
73	re is a fear that so-called predatory men will prey on young boys, what lessons c	MW 21.2.pro.txt
74	all cases, it is lower—vast hoards of men prey on younger men or, indeed, boys.	MW 21.2.pro.txt
84	. The first was that somehow young men can be enticed, encouraged or converted	CS 21.2.pro.txt
90	s the problem of the abuse by older men of younger women. That is something a	CS 21.2.pro.txt

Other lines including *women* focus on gender equality, for example:

23	or sexual relations common to both men and women, on three main grounds. Fir	NK 21.2.pro.txt
25	d made the assumption that young men and young women were somehow more	NK 21.2.pro.txt
27	velopmental reason to treat young men and young women differently in the law	NK 21.2.pro.txt
31	embers want to ensure that young men as well as young women are afforded as	NK 21.2.pro.txt
43	another young man, and for young men and women who want relationships wit	SH 21.2.pro.txt
47	difference in the ages of consent for men and for women and that the age of cons	AE 21.2.pro.txt
87	law on going into a pub is equal for men and women of all sexualities and all sha	CS 21.2.pro.txt

As do most lines for *women* (Appendix 29A), for example:

2	t to be protected longer than young women? If young women, with the age of con	EC 21.2.pro.txt
3	longer than young women? If young women, with the age of consent set at 16, are	DP 21.2.pro.txt
7	en who are homosexual and young women who are heterosexual. As a father, I	NK 21.2.pro.txt
10	wing up. That applies also to young women, who are equally in need of protection	SH 21.2.pro.txt
12	en no protection is offered so far as women are concerned.	PP 21.2.pro.txt
15	e argument does not apply to young women. Hon. Members should consider the i	MW 21.2.pro.txt

Arguments for gender equality were acceptable in 1994. The anti-equalisation claims that *young MEN* needed more protection than *young women* presented an opportunity to get behind the assertions of immaturity and explore why such protection was being claimed and what was being protected. This opportunity was not and could not be taken. While protection of male gender boundaries is deeply implicated in homophobic beliefs, such arguments were unthinkable in 1994, or beyond ‘official ideology’ (Voloshinov 2012: 144-6)

The collocates of *not* (Appendix 28A) include all the terms on Flowchart 3 except *FEAR*, *women*, *protect* and *protection*. While *not* occurs in numerous contexts, three core categories of argument are evident in the lines (Appendix 29B) with some overlap. The first category relates to the *law* (40 lines), especially to the damaging effects of criminalisation, for example:

14	reaking the criminal law, so they do not come forward. Thus, the law has the opp	EC 21.2.pro.txt
32	ng people are immature, but that is not an argument for making them criminals.	EC 21.2.pro.txt
54	the protection of legality and should not be criminalised into disguising their relat	NK 21.2.pro.txt
78	try to do that. We certainly should not criminalise those who are having a relati	SH 21.2.pro.txt
94	ith deemed to be criminal? Does he not accept that the way in which society at p	AR 21.2.pro.txt
120	omosexuality is wrong, but they are not entitled to use the criminal law to force t	TBl 21.2.pro.txt
146	ally to marry at 16? Should the law not say that it is understood that the young	MW 21.2.pro.txt
151	oes not act as a deterrent and does not stop younger men from having sex with o	MW 21.2.pro.txt
175	re the law. At present, the law does not permit that in the case of young gay men	CS 21.2.pro.txt

Although these lines occur mainly in negative arguments—‘against’ rather than ‘for’, arguments against existing *law* were more constructive than those against the anti-equalisation claims which served to keep them ‘in the air’. The second category of argument relates to *discrimination* (20 lines), which overlaps with that for *law*, for example:

12	The law is not only prejudicial and discriminatory; it is	EC 21.2.pro.txt
26	a higher age of consent for all boys, not just for some of them. There is not a cou	EC 21.2.pro.txt
65	rs for personal happiness. We shall not tolerate discrimination against them and	NK 21.2.pro.txt
100	be set apart from society. Does that not say something about the discrimination t	TBa 21.2.pro.txt
109	t they are; it is different, but that is not a ground for discrimination. The vast bul	TBl 21.2.pro.txt
114	rity of other countries in Europe do not discriminate should mean that we neces	TBl 21.2.pro.txt
160	First, the age of 18 is not a happy compromise. Compromises work	TGJ 21.2.pro.txt
178	d them, but they say that one shall not discriminate. But the law discriminates i	CS 21.2.pro.txt

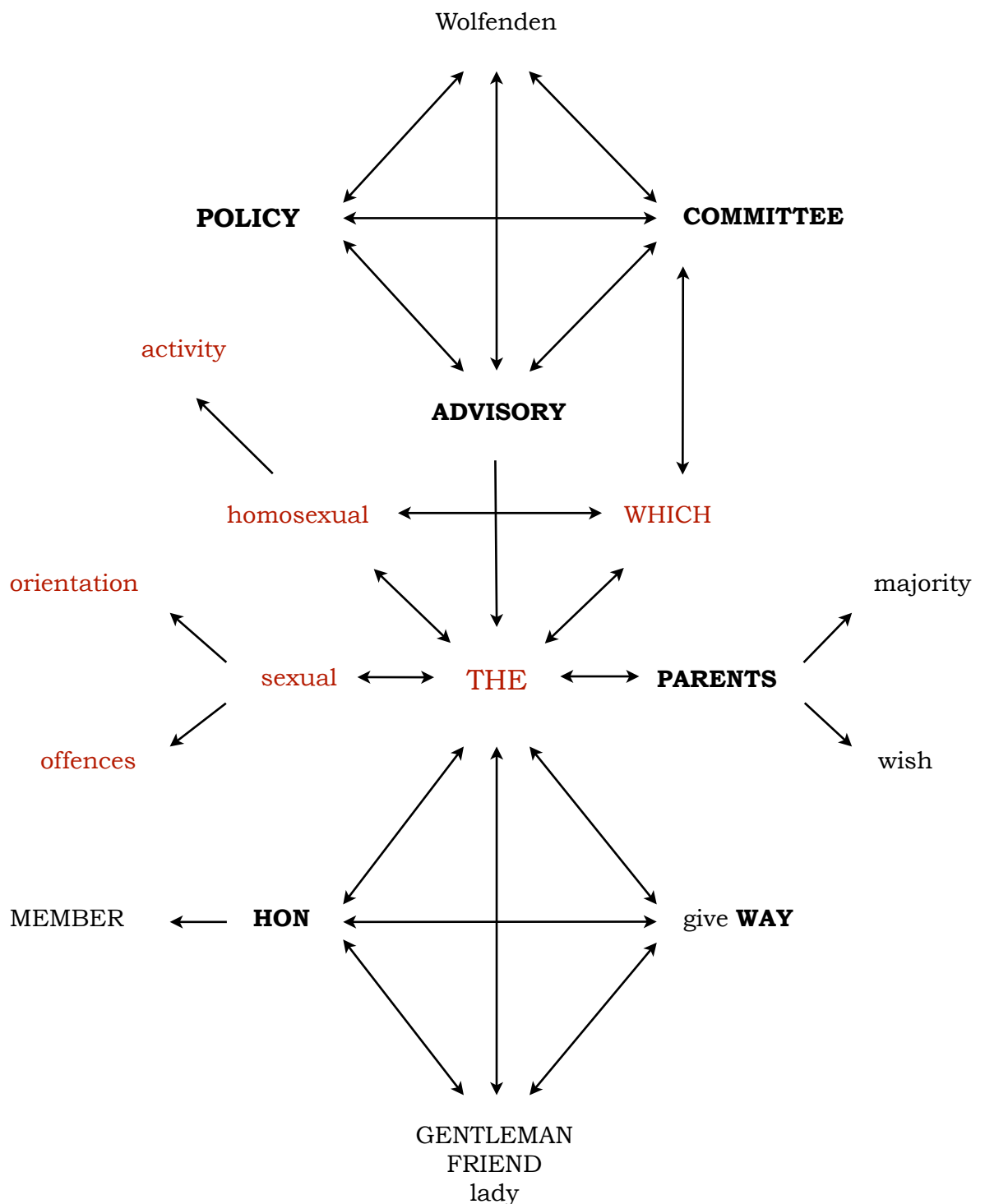
In addition, all 14 lines for the keyword *DISCRIMINATE* (Appendix 26) relate to the *law*: why the *law* should *not DISCRIMINATE* (5 lines), ways in which the *law* does *not DISCRIMINATE* (5 lines), how the *age of consent law* does *DISCRIMINATE* (2 lines), the absence of such *discrimination* in other countries (1 line) and a criticism of those who want the *law* to *DISCRIMINATE* (1 line). The third category of argument relates to equality (18 lines), in which examples of other countries with a *COMMON age of consent* are prominent, for example:

13	whatever why the same age should not apply to men, whether heterosexual or h	EC 21.2.pro.txt
27	, not just for some of them. There is not a country in the world that takes that lin	EC 21.2.pro.txt
47	legislate for just such a change. I do not refer to those other countries to offer a si	NK 21.2.pro.txt
48	a common age of consent at 16 has not damaged those societies or corrupted the	NK 21.2.pro.txt
74	ome countries do just that, too. I do not want to be distracted by this, but I shall	SH 21.2.pro.txt
88	e common age across the sexes—is not a view which they necessarily regard as a	SH 21.2.pro.txt
103	osexual sex. It is therefore an issue not of age, but of equality. By supporting equ	TBl 21.2.pro.txt

In addition, 5/15 lines for the keyword *EQUAL* (Appendix 26) apply to the *age of consent*, while the others apply to *rights* (4 lines), equality before the *law* (4 lines), plus membership of society on *EQUAL terms* (1 line) and giving *EQUAL weight* to medical opinion (1 line). Arguments for equality were among the most positive.

Although pro-16 speakers were supportively focused on the practicalities of *young MEN's* social and legal position where *their SEXUALITY* placed them outside heterosexual parameters, the repeated focus on the problems they faced outnumbered more positive arguments. In addition, the recurring focus on anti-equalisation claims upheld their residual power.

Flowchart 4: Anti-equalisation Keyword and Collocate Network



key: **BOLD CAPITALS**: keywords in the top ten  
**BLACK CAPITALS**: keywords  
**RED CAPITALS**: sexuality-term keywords and keywords collocating with sexuality terms  
black lower case: keyword collocates  
red lower case: sexuality terms and sexuality-term collocates

On Flowchart 4, links between anti-equalisation keywords and collocates are sparse. The most significant keyword is *COMMITTEE* (Appendix 25), with *POLICY*, *ADVISORY* and *Wolfenden* among its top collocates (Appendix 27). The upper part relates to Government reports, the middle part to views of sexuality, the lower part to debate process.

In the concordance lines for *COMMITTEE* (Appendix 30) it refers to: the *COMMITTEE* stage of the Bill at which the debate was held (21 lines), the Home Office *POLICY ADVISORY COMMITTEE* (15 lines) and the *Wolfenden COMMITTEE* (9 lines), plus one line refers jointly to the last two. Michael Howard spoke 23/25 lines referring to these two and their respective reports (1981 & 1957). Most lines paraphrase the reports' conclusions and are thus infused with the speaker's view (Voloshinov 1986: 120-1), but six lines introduce authoritarian quotes (*ibid*: 120):

6	examine these matters in 1954. The committee reported in 1957. Among its cent	MH 21.2.anti.txt
11	build a family life of their own. The committee put it in the following way at para	MH 21.2.anti.txt
16	again in the words of the Wolfenden committee. [Interruption.] It is an important	MH 21.2.anti.txt
17	n whatever view one takes of it. The committee said: a boy is incapable at the age	MH 21.2.anti.txt
26	hich, in the words of the Wolfenden committee, will set them apart from the rest	MH 21.2.anti.txt
28	mber for Islwyn. The Policy Advisory Committee concluded that the majority of pa	MH 21.2.anti.txt

Lines 11 and 28 introduce the same Policy Advisory Committee quote:

The committee put it in the following way at paragraph 38: The majority of parents would surely wish their children to grow up with the desire and possibility of marriage and children, and anything which puts this expectation at risk would be deplored. (c.93)

The Policy Advisory Committee concluded that the majority of parents would surely wish their children to grow up with the desire and possibility of marriage and children. (c.97)

The other lines introduce the same Wolfenden quote repeated in whole or part:

Among its central conclusions, to be found at paragraph 71 of the report, was that a boy is incapable at the age of 16 of forming a mature judgement about actions of a kind which might have the effect of setting him apart from the rest of society. (c.92-3)

It is still true that in following a homosexual way of life a young man sets himself apart from the majority. (c.93)

The committee said: a boy is incapable at the age of 16 of forming a mature judgment about actions of a kind which might have the effect of setting him apart from the rest of society. (c.94)

It is a question of confirming themselves in a way of life which, in the words of the Wolfenden committee, will set them apart from the rest of society. (c.96)

It is a fact that the way of life that we are currently discussing involves an abandonment of those possibilities which sets those people who choose it apart and which requires the criminal law to give all the protection that it can to the young and vulnerable before they are confirmed in that orientation and before they take that decision. (c.97)

Tony Banks (c.97) pointed out that the reports were old and times change, yet Michael Howard upheld them as expert (c.93/c.97) in contrast to contemporary expert medical opinion cited in 5/6 pro-16 speeches. This positions the pro-18 social hierarchy of values (Voloshinov 1986: 123) with Government authority. Michael Howard's repeated references to the two reports added weight to the otherwise flimsy pro-18 case. As van Dijk (2006c) shows, repetition and reliance on authoritative sources are rhetorical ploys characteristic of manipulative discourse. Yet, with the free vote, why did Michael Howard, as Home Secretary, need to make such a heavyweight speech? The free vote was prompted by the prospect of a ECtHR judgement. John Major was a pro-European. His party was divided between Tory modernisers and right-wing anti-Europeans. Despite the free vote, the pro-18 amendment was backed by John Major and his Cabinet. Arguably, they could not be seen to be voting for either 16 or 21 in the face of divisions over Europe.

The middle part of Flowchart 4 is in two parts. On the left, the collocates relate to views of non-heterosexuality in terms of *sexual offences* and *homosexual acts*. These views are discussed in the next section. On the right, the keyword *PARENTS* (Appendix 25) was used to support the heterosexual status quo. The lines for *PARENTS* (Appendix 30) occur in claims that: *PARENTS* expect their children to be heterosexual, get married and have children (3 lines), *PARENTS* want their children protected against homosexuality (3 lines), *PARENTS* accept



youthful heterosexual relationships (1 line), the law does not deter young men from seeking advice from *PARENTS* or professionals (1 line), plus a dismissal of the EU civil rights report recommendation that restrictions on lesbian and gay *PARENTS* be lifted (1 line). Thus *PARENTS* were presumed to be heterosexual and in 7/10 lines anti-gay. These were not real *PARENTS*, they were a generalised personification of the status quo calling on “socially shared beliefs” (van Dijk 2006c: 370). What the *majority* of *PARENTS* were claimed to *wish* for is thus ideological, compounded by the keywords *MARRIAGE* and *FAMILY* (Appendix 30A). In terms of a social hierarchy of values (Voloshinov 1986: 123), *PARENTS*, as the mouthpiece for the heterosexual status quo, mattered more than the young men to whom the amendment applied.

The lower part of the Flowchart 4 relates to debate process. The keyword *WAY* (Appendix 25) relates to requests to *give WAY* in 16/34 lines (Appendix 30), while the lines for *HON* (*ibid*) show anti-equalisation speakers addressed or referred to other MPs proportionately more often. Of the lines for *HON*, 69/94 occur in challenges to pro-equalisation speechmakers, over half of which (36 lines) were directed at the two Conservatives: Edwina Currie and Tristan Garel-Jones. Both were also specific targets in Ian Paisley’s speech. In addition, Edwina Currie was addressed as ‘the honourable Lady’ instead of ‘my honourable Friend’ five times by fellow Conservatives (lines 9-13; c.79/c.80) as if she was not one of them. She was also repeatedly heckled (Pink Paper 25.2.1994). This exposes the depth of Conservative divisions. Of the Conservatives who interrupted the pro-16 speechmakers, 12/14 supported an age of 21, four of whom had voted against the Maastricht Treaty, as did Ian Paisley (22.7.1993 cc.608-611). Plus all three pro-18 speechmakers dismissed the example of other countries. The extent to which homophobic beliefs and anti-EU sentiments fuelled each other is unknowable, but the two are linked.

Overall, pro-equalisation speakers supported the *young MEN* affected by the existing law, to whom the amendment applied, with practical and reasoned arguments based on the principles of equality. By contrast, anti-equalisation speakers relied on upholding institutionalised beliefs, which Michael Howard bolstered with assertions of Government authority.

### Views of Sexuality

The following terms relating to sexuality were used in the debate:

Adjectives and Adverbs	Abstract Nouns	Nouns for People
<i>homosexual</i>	<i>sex</i> (in reference to sexual acts)	<i>homosexuals</i>
<i>heterosexual</i>	<i>sex</i> (in reference to gender)	<i>homosexual</i>
<i>sexual</i> (excluding orientation)	<i>sexuality</i>	<i>heterosexuals</i>
<i>sexually</i>	<i>sexualities</i>	<i>lesbians</i>
<i>gay</i>	<i>sexual orientation</i>	<i>sexes</i> (in reference to gender)
<i>straight</i>	<i>orientation</i>	
<i>bisexual</i>	<i>orientations</i>	
<i>lesbian</i>	<i>homosexual orientation</i>	
<i>homophobic</i>	<i>heterosexual orientation</i>	
	<i>homosexuality</i>	
	<i>heterosexuality</i>	

Pro-equalisation speakers used 24/25 terms, with *heterosexual*, the keywords *GAY* and *SEXUALITY*, plus *sex* and *homosexuals* proportionately salient. Anti-equalisation speakers used only 16/25 terms, with proportionately higher frequencies of *sexual* (excluding orientation), *sexual orientation*, *orientation*, *homosexuality* and *heterosexuality*. The terms are investigated via their collocates (Appendices 31 & 33) and concordance lines (Appendices 32 & 34) within each lexical category in turn.

\*   \*   \*

Of the adjectives, the clinical *homosexual* was the most used term overall, proportionately more so by anti-equalisation speakers:

ADJECTIVES & ADVERBS	Total Uses	Pro-equalisation Uses	Pro-equalisation % Debate Words	Anti-equalisation Uses	Anti-equalisation % Debate Words
homosexual	64	40/64 (62.3% total) 13/40 (46.4% uses)	68.4%	24/64 (37.5% total) 5/24 (20.8% uses)	31.6%
heterosexual	28	21/28 (75% total)	68.4%	7/28 (25% total) 2/7 (28.6% uses)	31.6%
sexual (excluding orientation)	53	31/53 (58.5% total) 7/32 (21.9% uses)	68.4%	22/53 (41.5% total) 5/22 (22.7% uses)	31.6%
sexually	3	2/3 (66.7% total)	68.4%	1/3 (33.3% total)	31.6%
gay	50	44/50 (88% total) 7/44 (15.9% uses)	68.4%	6/50 (12% total) 5/6 (83.3% uses)	31.6%
straight	2	2/2 (100% total)	68.4%		31.6%
bisexual	1	1/1 (100% total) 1/1 (100% uses)	68.4%		31.6%
lesbian	1	1/1 (100% total)	68.4%		31.6%
homophobic	2	2/2 (100% total)	68.4%		31.6%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use  
**bold red text**: keywords

In 14/24 anti-equalisation concordance lines for *homosexual* (Appendix 32), the nouns to which it applies refer to sexual acts:

<i>activity</i> (5 lines)	<i>sex</i> (2 lines)	<i>relations</i> (1 line)	<i>experience</i> (1 line)	<i>offences</i> (1 line)
<i>acts</i> (3 lines)	<i>INTERCOURSE</i> (1 line)	<i>conduct</i> (1 line)	<i>activities</i> (1 line)	

*Activity* and *acts* are collocates (Appendix 31), while *INTERCOURSE* is a keyword. The focus on ‘acts’ evades recognition of ‘the actor’ as a real person. In Wodak’s (2007: 205) terms, the prejudice becomes “de-referentialized”. It suggests the young men were seen as unimportant. They were not real, but personifications of a belief requiring protection, as Bill Walker exemplifies:

On the issue of equality before the law, does the hon. Lady realise that it is neither natural nor normal to carry out **homosexual** activity? That is why there has to be protection for young boys. It is a different matter if they participate in that which is normal and natural, but if they are guided into activities that are neither normal nor natural, protection is required. (c.79)

His use of *NORMAL* and *natural* invoke *heterosexual acts*, which feature in 5/7 lines for *heterosexual* (Appendix 32): *activity* is a collocate, but the lines also include *INTERCOURSE*, *sex* and *acts*. *Heterosexual* and *homosexual* collocate reciprocally, but the two categories are polarised in all lines:

This last line of argument could suggest that boys under 18 should be protected from **heterosexual** intercourse as well as **homosexual** relations. However, we feel that it is far easier for them to cope with the usual complexities"— [...] — of youthful **heterosexual** relationships, which are accepted by parents, friends and society, than the greater complexity of **homosexual** relationships with all the difficulties and pressures involved. (Anthony Durant c.87)

Although current medical opinion seems more rather than less certain that sexual orientation is fixed in both sexes by 16 in most cases, there will still be some young men for whom **homosexual** experience after that age will have profoundly influential and potentially disturbing effects.

It is also still unquestionably the case that most parents hope and expect their sons to follow a **heterosexual** lifestyle and hope that in due course they will build a family life of their own.

(Michael Howard c.93)

Whatever the scientific evidence about the age at which sexual orientation is fixed, it would be wrong to ignore the instinctive and deeply-held concern of many people that a decision to have **homosexual** sex is quite different from a decision to have **heterosexual** sex.

(Michael Howard c.96)

In my view, therefore, we shall not offend against any fundamental political or civil right if we continue to reflect in the criminal law a public understanding of the difference between **homosexual** activity and **heterosexual** activity.

(Michael Howard c.96)

I hope that the Committee will not be misled by the fact that **heterosexual** activity is normal and **homosexual** activity, putting your penis into another man's arsehole, is a perverse—

(Nicholas Fairbairn c.98)

The resolution says that certain things must be swept away. First, it says that there should be an end to different and discriminatory ages of consent for **homosexual** and **heterosexual** acts. Of course, there is no agreed age in Europe, as we know.

(Ian Paisley c.113)

Such polarised values, based on the “construction of ‘differences’, which serve ideological, political and/or practical discrimination” (Wodak 2007: 205) are the basis of prejudiced representations.

*Sexual* was also used proportionately more often by anti-equalisation speakers and in 15/22 lines (Appendix 32) it also relates, directly or indirectly, to *sexual acts*:

<i>offences</i> (6 lines)	<i>options</i> (2 lines)	<i>relations</i> (1 line)	<i>health problems</i> (1 line)
<i>relationships</i> (2 lines)	<i>relationship</i> (1 line)	<i>experience</i> (1 line)	<i>INTERCOURSE</i> (1 line)

*Offences* is a collocate (Appendix 31) and *INTERCOURSE* a keyword. The dual focus of these lines is the immaturity of young men and the criminality of the acts, the latter reinforced by evidence related to *Sexual Offences*:

The Home Office Policy Advisory Committee document, "Report on Age of Consent in Relation to **Sexual** Offences", stated: between the ages of 16 and 18 girls are more mature than boys in their approach to **sexual** relationships and that, insofar as it is possible to generalise, boys have caught up with the girls in the process of maturing by the age of 18. (Anthony Durant c.87)

That committee received a similar variety of expert evidence on the psychological and **sexual** maturity of young men between the ages of 16 and 21. It was also able to reflect on the experience gained by the police and prosecuting authorities of the **Sexual** Offences Act 1967.

(Michael Howard c.93)

In that area, one gets the best of both worlds from the point of view of the youngster who is seeking guidance and direction at an early stage in his **sexual** development and maturity. The framework of law is there, but it is at the discretion of the Crown Prosecution Service whether to invoke it.

(Michael Alison c.102)

I have in my hand a pamphlet published by the Health Education Authority entitled "The Best Sex Guide". It lists a range of **sexual** options apart from penetrative sex, which is the most hazardous in terms of AIDS. The guide includes **sexual** options which technically come within the definition of gross indecency and, therefore, are potentially criminal.

(Michael Alison c.103)

'Maturity' can be seen as a euphemism for heterosexual, while the references to *offences, the police, prosecuting authorities, the CPS, gross indecency and criminal* construct sex between (the de-referentialised) men as basically criminal.

Individually, the nouns relating the above adjectives to sexual acts, plus the keyword *BUGGERY* and salacious references to AIDS, are predictable.

Together (Appendix 32A) they illustrate an extraordinary preoccupation with sexual acts, particularly anal sex, which seven speakers chose to highlight: Tony Marlow (c.78), Julian Brazier (c.78), Nicholas Fairbairn (c.98), Bill Walker (c.98),

Michael Alison (c.102), Robert Spink (c.106), Ian Paisley (c.114), while Anthony Durant referred to the “proper and improper uses of the human body” (c.88). Even *gay* was contaminated with “gay bowel syndrome” (c.78). The preoccupation betrays both ignorance and perversity. As Baker points out:

Not all gay men have anal sex (and not all men who have anal sex identify as gay). However, despite this, anal sex has become one of the main signifiers of homosexuality, particularly in homophobic discourses.  
(Baker 2004b: 103/2005: 56)

The association with anal sex not only evokes and reinforces beliefs constructed around the criminalising history of sex between men, but also erases the humanity of the men concerned.

\* \* \*

The pro-equalisation adjectives focus on the *young MEN* affected by existing law and to whom the amendment applied. Both *MEN* and *young* are among the top collocates for *homosexual* (Appendix 33), while over half the concordance lines for *homosexual*, 26/40 (Appendix 34), occur in arguments against the *young MEN*’s criminalisation, as Neil Kinnock argued:

The very fact of criminality inhibits young men from reporting crimes against them. It is also a factor in the emotional misery and isolation endured by young **homosexual** men. But apart from those psychological pressures, which sometimes end in the terrible tragedies of suicide and attempted suicide, the Health Education Authority, Barnardo’s and Project Sigma are just three of the knowledgeable bodies that inform us that the present criminality of **homosexual** relationships can limit health promotion activities among the social group most vulnerable to HIV infection and AIDS: young **homosexual** men. (c.84)

A particular focus of the arguments against criminalisation was its effect on *young MEN*’s access to safer-sex advice (8 lines). That *HIV* is a pro-equalisation keyword indicates speakers’ greater awareness of sexual-health issues. Anti-equalisation speakers did not use HIV and their references to AIDS (Appendix 32A) were linked to sexual acts and pitched to elicit negativity. This exasperated Edwina Currie:

It exasperates me that the moment that anyone mentions **gay** sex, AIDS comes up in the next breath. When we see a **heterosexual** couple, we do not instantly think of gonorrhoea; we see people trying to form a long-term relationship, caring about each other and falling in love. (c.78)

*Homosexual* and *heterosexual* are reciprocal collocates (Appendix 33) and linked in or by nine lines. The lines for *heterosexual* (Appendix 34) also link to *GAY*, *homosexuals* and *relationships between MEN*. In total, 16/21 lines link to non-heterosexual terms, while comparison with non-heterosexuality is implied in four more. In contrast to anti-equalisation speakers' polarisation of the categories, 17/21 pro-equalisation lines for *heterosexual* occur in arguments against discrimination, or for equality. Tony Blair put it succinctly:

It is not at what age we wish young people to have sex. It is whether the criminal law should discriminate between **heterosexual** and **homosexual** sex. It is therefore an issue not of age, but of equality. By supporting equality, no one is advocating or urging **gay** sex at 16 any more than those who would maintain the age of consent for **heterosexual** sex advocate that girls or boys of 16 should have sex. It is simply a question whether there are grounds for discrimination. (c.98)

That *heterosexual* was more used by pro-equalisation speakers, suggests they were taking heterosexuality less for granted. However, its mention served as a comparator in all but one line referring to a Sunday Times poll which had 42% of respondents wanting the *heterosexual* age of consent raised. Thus independent consideration of heterosexuality was absent and its status unquestioned.

The lines for *sexual* (Appendix 34) include 13 nouns linked to sexual acts:

<i>activity</i> (6 lines)	<i>relationship</i> (3 lines)	<i>practices</i> (2 lines)	<i>assault</i> (1 line)	<i>practice</i> (1 line)
<i>encounters</i> (3 lines)	<i>behaviour</i> (2 lines)	<i>relations</i> (2 lines)	<i>experience</i> (1 line)	
<i>relationships</i> (3 lines)	<i>offences</i> (2 lines)	<i>activities</i> (1 line)	<i>perversion</i> (1 line)	

*Activity*, *encounters*, *relationship* and *relationships* are collocates, as are *MEN*, *young* and *GAY* (Appendix 33). Arguments against the criminalisation of *young MEN's sexual activity* account for 12/31 lines, while six lines occur in arguments for equality before the law. Mike Watson reviewed the 1967 *Sexual Offences Act*:

That was not what I said. The hon. Gentleman was clearly not listening. I was talking about adult **sexual** activity. People between the ages of 16 and 21 enjoy rights and are protected by other legislation from **sexual** assault and exploitation. The law that is under discussion, the **Sexual** Offences Act 1967, is riddled with inconsistencies. If there is a fear that so-called predatory men will prey on young boys, what lessons can we learn from the effect of legislation in other countries? There is no evidence that in the countries that hon. Members have listed in the debate where the age of consent is lower than in this country—in all cases, it is lower—vast hoards of men prey on younger men or, indeed, boys. (c.106)

Criminal law should have no place in a matter of private morality and that is what we are debating. The **Sexual** Offences Act 1967 put British legislation ahead of that in most other European countries. Today, we are lagging behind all those countries and we are in the shameful position of having the highest age of consent in Europe. (c.107)

Six lines for *sexual* address anti-equalisation protection claims by highlighting consent (Appendices 34A & 34B). The issue of consent was raised only by pro-equalisation speakers: Edwina Currie (c.76/c.79/c.80), Neil Kinnock (cc.81-2), Simon Hughes (c.90), Mike Watson (c.106) and Chris Smith (c.112). Most uses of ‘consent’ in the debate occur in ‘age of consent’, but as Waites points out:

[The age of consent] is typically used to refer to an age at which the law permits sexual behaviour without any straightforward assumption that this coincides with the law recognising a young person’s capacity to give consent, or that the law demands that consent be positively expressed.

(Waites 2005a: 5)

The pro-equalisation speakers’ concern with the issue of actually consenting to sex contributes to their humanising focus on *young MEN*.

The keyword *GAY* was the most used pro-equalisation adjective. The lines (Appendix 34) occur in similar arguments to the other adjectives: the effects of criminalisation, especially on *young MEN*’s access to professional advice (13 lines), the effects of discrimination (7 lines) and the need for equality (6 lines). Edwina Currie addressed prejudice:

It is interesting that once respondents know a **gay** man, attitudes change dramatically and bigotry disappears. We in this Chamber all know at least one **gay** man—possibly more. In any case, we are here to lead public opinion as well as to follow it. (c.76)



The image of **gay** men is at last changing. They are men whom we know, work with and whose work we admire. They are business men, civil servants, artists, actors, soldiers, judges, bishops, priests, peers and Members of Parliament. We all know someone who is **gay**, even if he has not yet declared himself. It is time to take the dark shadow and turn it into a human being; it is time to seize our homophobic instincts and chuck them on the scrap heap of history where they belong. (c.81)

These arguments were among the most positive, along with those for rights:

Members who will support the new clause will demonstrate that it is not an issue for **gay** men alone, and no longer a minority issue, but one of human rights, which touches us all. (Edwina Currie c.75)

I am after not **gay** rights but equal rights for everyone. (Edwina Currie c.78)

I inform hon. Members who may have genuine doubts about which way to vote that, because it is an issue of equality, and because it concerns the equal rights of our citizens, this is an issue not just for those who are **gay** but for all of us who are concerned about the type of society in which we live. (Tony Blair c.99)

In Scotland, 16-year-olds have even more rights. A 16-year-old may choose to set up a business or marry or join the armed forces, but if he is **gay** he cannot legally have a sexual relationship of his choosing. In 1994, that is nonsense. (Mike Watson c.105)

That *GAY* rather than the *homosexual* was used in these arguments shows pro-equalisation speakers associated it more positively than the clinical *homosexual*. By contrast all six anti-equalisation lines for *gay* (Appendix 32) occur in negative contexts: two in an unnecessarily graphic report of STD incidence in the USA, one in a hypothesised claim of pressure on a 16-year-old from *the militant gay lobby*, and three in a denouncement of MEP's support for the civil-rights report.

The adjectives effectively summarise each side's approach to the issue. Anti-equalisation speakers premised their protection of heterosexuality on a criminalising preoccupation with homosexual acts. Pro-equalisation speakers premised their support for *young GAY/homosexual MEN* on equal treatment.

\* \* \*

Of the abstract nouns, *sex* was most used overall, proportionately more so

by pro-equalisation speakers:

ABSTRACT NOUNS	Total Uses	Pro-equalisation Uses	Pro-equalisation % Debate Words	Anti-equalisation Uses	Anti-equalisation % Debate Words
sex (in reference to sexual acts)	27	20/27 (74.1% total) 3/20 (15% uses)	68.4%	7/27 (25.9% total) 2/7 (28.6% uses)	31.6%
sex (in reference to gender)	2	2/2 (100% total)	68.4%		31.6%
sexuality	24	22/24(91.7% total) 2/22 (9.1% uses)	68.4%	2/24 (8.3% total)	31.6%
sexualities	1	1/1 (100% total)	68.4%		31.6%
sexual orientation	22	14/22 (63.6% total) 1/14 (7.1% uses)	68.4%	8/22 (36.4% total)	31.6%
orientation	5	2/5 (40% total)	68.4%	3/5 (60% total)	31.6%
orientations	2	2/2 (100% total)	68.4%		31.6%
homosexual orientation	2	2/2 (100% total)	68.4%		31.6%
heterosexual orientation	1	1/1 (100% total)	68.4%		31.6%
homosexuality	18	10/18 (55.6% total) 1/10 (10% uses)	68.4%	8/18 (44.4% total) 2/8 (25% uses)	31.6%
heterosexuality	3	1/3 (33.3% total) 1/1 (100% uses)	68.4%	2/3 (66.7% total)	31.6%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use  
**bold red text:** keywords

Twenty pro-equalisation uses of *sex* refer to sexual acts and two to gender. The lines referring to sexual acts follow a similar pattern to that of the adjectives: arguments against criminalisation (15 lines), for access to sexual health advice (8 lines), against discrimination (5 lines), and for equality (2 lines). Tony Blair offered an alternative need for protection:

Moreover, where such predatory conduct takes place—let us assume for the purposes of the argument that it does—it takes place in circumstances that we all know: in parts of our inner cities and around some railway stations late at night, where young boys and girls sell **sex** for money and shelter. Surely the question that we should ask is why those young people are in those circumstances when it is not the criminal law but a roof over their heads, a decent family and home and a chance of a job that will help them. (c.99)

The lines where *sex* refers to gender occur in arguments for equal protection.

The lines for the pro-equalisation keyword *SEXUALITY* (Appendix 34) also occur in a similar range of arguments to the adjectives. Thirteen lines refer to *GAY SEXUALITY* and one to heterosexuality; eight are apparently neutral. Of the 13 lines referring to *GAY SEXUALITY*, 10 are preceded by phrases constructing

*young GAY MEN* as victims of the law, prejudice, or discrimination:

<i>taboo of silence that has denied</i>	<i>stigma attached to</i>	<i>treat a man as inferior</i>
<i>disguising their relations</i>	<i>hid their SEXUALITY in fear</i>	<i>not to criminalise</i>
<i>inhibited from discussing</i>	<i>continuous harrassment</i>	<i>discriminate against</i>
<i>frightened to admit</i>		

These lines occur in variously overlapping arguments against criminalisation, discrimination, prejudice and claims of immaturity, plus alternative arguments for protection. Tony Blair related the arguments to society:

Indeed, I go further: the most basic civilised value is the notion of respect for other people. That is what creates and sustains any decent society. That is why crime is wrong; that is why violent and abusive behaviour is wrong; that is why racial abuse is wrong. It is also why it is wrong to treat a man as inferior because his **sexuality** is different. A society that has learned, over time, racial and sexual equality can surely come to terms with equality of **sexuality**. That is the moral case for change tonight. It is our chance to welcome people—I do not care whether there are 50,000, 500,000 or 5 million; it matters not a damn—into full membership of our society, on equal terms. It is our chance to do good, and we should take it. (c.100-1)

His penultimate sentence again points to ulterior angst about the protection of heterosexuality, which was otherwise overlooked by pro-equalisation speakers. The other six apparently neutral uses of *SEXUALITY* address anti-equalisation claims via alternative arguments for protection (3 lines) and arguments against immaturity (2 lines) or conversion to homosexuality (2 lines).

The referents of *sexual orientation* and its variants are more scattered:

GENERAL REFERENCE	GAY REFERENCE	HETEROSEXUAL REFERENCE
<i>sexual orientation</i> (6 lines)	<i>sexual orientation</i> (6 lines)	<i>sexual orientation</i> (2 lines)
<i>orientations</i> (2 lines)	<i>orientation</i> (2 lines)	<i>heterosexual orientation</i> (1 line)
	<i>homosexual orientation</i> (2 lines)	

Seven lines (Appendix 34) occur in core arguments: against discrimination or criminalisation and for equality. However 12/21 lines, across all three referents, relate to the view that sexual identity is fixed by the age of 16. The illogicality of anti-equalisation claims of young men's immaturity was noted by two speakers:

I have been listening to what the Home Secretary has said about the maturity of 16-year-old boys and I do not understand why he is making a distinction between those who are homosexual and those who are heterosexual. Is he not arguing that there should be a difference in the ages of consent for men and for women and that the age of consent for all boys should be 18 rather than 16? I do not understand the distinction that he is drawing between the two **orientations**.

(Angela Eagle c.95)

If the Home Secretary is being quite honest about that, why does he not address the point about female **sexual orientation** in respect of which there is no age limit? The Home Secretary's argument is destroyed when no protection is offered so far as women are concerned.

(Peter Pike c.96)

These interventions offered MPs an opportunity to think about what was being protected, but none made use of it. That *sexual orientation* was used in relation to the fixing of sexual identity suggests it was understood as a more dichotomous term than *SEXUALITY* (Waites 2005b: 545; Weeks 2011: 189-192).

Most pro-equalisation lines for *homosexuality* (Appendix 34) occur in a cluster of arguments against criminalisation, discrimination and prejudice. One line occurs in a dismissal of contradictory public opinion polls. The other two lines, plus the line for *heterosexuality*, occur in refutations of claims that young men would be vulnerable to corruption, or conversion:

The supposition that somehow homosexuals are made or converted from **heterosexuality** is not sustained by medical evidence or by any unprejudiced examination of the facts or experience of normal life.

(Neil Kinnock c.83)

I must reply to that briefly, but I am sure that the hon. Gentleman is aware that any amount of evidence proves that homosexuals are not made or corrupted by their elders. They are not converted to **homosexuality** by having sexual encounters with older people who are also homosexuals.

(Neil Kinnock c.84)

The Home Secretary's whole argument seems to be based on two assumptions. Will he confirm that those assumptions are, first, that between the ages of 16 and 18, young men are converted to **homosexuality** rather than discovering that they are homosexual and, secondly, that that conversion can be stopped by the threat of criminal action?

(John Reid c.94)

That such claims had to be refuted positions ‘conversion’ as a sensitive area. No-one asked why it mattered how young men came to adopt a sexual identity, why it mattered that they should have one, or why it mattered if they were ‘converted’.

\* \* \*

All seven anti-equalisation uses of *sex* refer to sexual acts (Appendix 32). Two occur in Michael Howard’s polarisation of homosexual and heterosexual *sex* and two in Michael Alison’s criticism of an HEA guide on safer-*sex* options; in two more lines he criticised the BMA’s age of consent report for advocating over-16s have access to the support of community organisations and clubs:

They will drop their membership age limit to 16. They will draw into that particular vortex exactly those whose sexual orientation is not properly determined and is open to alteration and redirection in the context of a highly organised, self-conscious community. If it does introduce young men to safer *sex* of a homosexual kind, it will have the effect of predetermining them perhaps to lose precisely that option of family life and normal parenthood which is what they should have held open for them. (c.104)

This oddly regards the experience of gay *sex* as a ‘one-way ticket’ to gay identity. It similarly regards non-heterosexuality and parenthood as mutually exclusive, which indicates ignorance of lesbian and gay parents and co-parents. Ian Paisley confined parenting to a more elevated heterosexuality:

I plead with the Committee not to despise, reject or to brand the cement of society as some kind of prejudice. The normal *sex* act within the marriage vow, bringing together male and female and producing offspring, is the happy way; it is the divine way; it is the creative way; and it is the best way. As one of the apostles said, it is the more excellent way. (c.114)

While *some kind of prejudice* dismisses equality, the citing of *male* and *female* highlights the centrality of the gender binary in both the heterosexual status quo and homophobic thought (Baker 2008: 91-154).

The two anti-equalisation lines for *sexuality* (Appendix 32) have neutral reference and occur in claims of young men’s *unsettled* or *confused sexuality*, as do the lines for *sexual orientation* which was used proportionately more by anti-

equalisation speakers. In 7/8 lines, plus 1/3 for *orientation*, the term has neutral reference and occurs in claims about the vulnerability of young men who do not have a *settled, fixed or crystallised sexual orientation*. In the remaining lines the term refers to homosexuality and concern its feared possibility:

It is a fact that the way of life that we are currently discussing involves an abandonment of those possibilities which sets those people who choose it apart and which requires the criminal law to give all the protection that it can to the young and vulnerable before they are confirmed in that **orientation** and before they take that decision.

(Michael Howard c.97)

However, it is a legitimate and important function of the criminal law to protect the young and the vulnerable before that **orientation** is fixed and determined.

(Michael Howard c.97)

We are not concerned, however, with those whose **sexual orientation** is crystallised and fully formed; we are concerned precisely with the "in between" group, between the ages of 16 and 18, for whom the Home Secretary pleaded.

(Michael Alison c.101)

These lines implicitly dismiss young gay men as unimportant.

The largely neutral references of *sexuality* and *sexual orientation* concur with anti-equalisation fears of uncertain sexual identity, but though speakers used them in similar ways, *sexual orientation* was the preferred term. According to Weeks (2011: 189), *sexual orientation* came into use "in the 1970s largely as a synonym for homosexuality", though he acknowledges the value of its extension to an essential homosexual or heterosexual nature in arguments for equality. As such, it preserves the category of heterosexuality which was the underlying anti-equalisation objective. This may account for the speakers' preference, but their linking of both terms to protection against homosexuality, illustrates their discomfort with potential for non-heterosexuality.

The nouns *homosexuality* and *heterosexuality* add little to what has been said. Both were proportionately more used by anti-equalisation speakers. Two lines (Appendix 32) occur in polarisations of *homosexuality* and *heterosexuality*, thus *heterosexuality* has no independent consideration. Four lines occur in

warnings against equalisation: that STDs would increase, Section 28 would need amending, *homosexuality* would be seen as uncontroversial and prosecutions would cease. The two remaining lines occur in refutations of pro-16 evidence:

My hon. Friend has failed to listen to the evidence that I have given of the criminal statistics, aided and abetted by his intervention. There simply are not enough criminal prosecutions every year to suggest that most youngsters are even aware of the existence of the law on *homosexuality*. The Crown Prosecution Service hardly ever brings prosecutions and it cannot be said that youngsters are inhibited from seeking health advice.  
(Michael Alison c.103)

Some people say, "No one ever changes; we were born this way; and this is the way that we have to remain." That is not true. Homosexuals have been converted from *homosexuality* and some of them have good marriages and are bringing up families. I know that from personal pastoral experience.  
(Ian Paisley c.115)

The views and experience of young gay men had been completely ignored in anti-equalisation speakers' quest to protect heterosexuality.

The abstract nouns show that for both sides of the debate, albeit for very different reasons, the issue of sexual identity was important. Anti-equalisation speakers needed young men to be uncertain about their sexuality in order to claim they needed protection from homosexuality. Conversely, pro-equalisation speakers needed sexual identities to be developmentally fixed in order to refute claims of young men's vulnerability to conversion or corruption.

\* \* \*

Nouns for people were less used in the debate.

NOUNS FOR PEOPLE	Total Uses	Pro-equalisation Uses	Pro-equalisation % Debate Words	Anti-equalisation Uses	Anti-equalisation % Debate Words
homosexuals	24	19/24 (79.2% total) 4/19 (21.1% uses)	68.4%	5/24 (20.8% total) 1/5 (20% uses)	31.6%
homosexual	2		68.4%	2/2 (100% total)	31.6%
heterosexuals	6	4/6 (66.7% total)	68.4%	2/6 (33.3% total)	31.6%
lesbians	3	1/3 (33.3% total) 1/1 (100% uses)	68.4%	2/3 (66.7% total) 2/2 (100% uses)	31.6%
sexes	7	5/7 (71.4% total)	68.4%	2/7 (28.6% total)	31.6%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use

The most used noun overall was *homosexuals*, proportionately more so by pro-equalisation speakers. While this supports speakers' focus on young men, it is a clinical term. However, its disproportionate use is accounted for by one speaker: Neil Kinnock spoke 12/19 lines (Appendix 34). Most lines occur in negative or defensive arguments: against criminalisation (5 lines), discrimination (4 lines) or conversion to homosexuality (4 lines), plus claims that sexual identity is fixed by the age of 16 (2 lines) and, more positively, arguments for the protective effects of decriminalisation (2 lines). Neil Kinnock argued these points well, but two of his lines display unquestioning acceptance of the heterosexual status-quo:

For the very reason that is understood by all **heterosexuals: homosexuals** in our society and in others are a minority. They are regarded as an isolated group. They do not have children. Moreover, in our society, even at the age of 16, they are regarded as criminals if they engage in sexual activity. That is a fair accumulation of reasons for not wanting one's children to be homosexual. We do not, however, have any control over it. (c.83)

Let us tell young people that a heterosexual life, in the sense that it is what most of us live and want to live, is the norm; that it is and will remain the basic human relationship upon which the family is founded. But let us also tell young **homosexuals** that we still have regard for them and want them to live in a society that accepts their nature and will give them the same chance as others for personal happiness. We shall not tolerate discrimination against them and they need not feel fear and outlawed. (c.86)

These lines undermine his otherwise supportive stance and reveal his lack of familiarity with lesbian and gay politics. The incongruity of support for gay men using dispreferred terms relates to Bakhtin's (1981: 271) centripetal forces which "develop in vital connection with the processes of sociopolitical and cultural centralization". Neil Kinnock was a 'mainstream' Labour MP apparently no more in touch with the gay politics his party supported than when he was leader.

\* \* \*

The anti-equalisation lines for *homosexuals* and *heterosexuals* are few, but include two uses of *homosexual* as a singular noun (Appendix 32). Together these lines also span familiar topics: sexual acts (3 lines), polarised categories (2 lines), UK sovereignty (1 line), and conversion to homosexuality (3 lines) which includes



Michael Alison's use of the singular nouns:

He isolated two categories: the older, convinced and committed **homosexual**—whatever the nature of his condition, genetically or otherwise—and the youngster of 16, 18 or 21 who is, likewise, a committed, finally developed and fully oriented **homosexual**.

We are not concerned, however, with those whose sexual orientation is crystallised and fully formed; we are concerned precisely with the "in between" group, between the ages of 16 and 18, for whom the Home Secretary pleaded. (c.101)

The *whatever the nature of his condition* invokes a pathologising view, while the dismissal of the *homosexual* as of no concern, posits the absence of heterosexual identity as the threat. It was for this absence that anti-equalisation speakers required continuing criminalisation.

\*   \*   \*

Overall, criminalisation was the kernal of the debate. Arguments for equalisation were underpinned by its negative effects, while anti-equalisation claims were underpinned by references to sexual acts framed by criminality. The issues arising from the analysis are discussed below.

### **Associations and Implications**

The triad of issues arising from the analysis relates to sexual acts, sexual identity, and the relationship between the two. A final consideration is the influence of divisions over Europe.

The completely inappropriate anti-equalisation preoccupation with sexual acts, particularly anal sex, is relatively easy to position. Graphic phrases such as *the buggery of adolescent males*, *gay bowel syndrome* (c.78), or *putting your penis into another man's arsehole* (c.98) exposed and constructed abhorrence, while references to *the actual act/an unnatural act* (c.98), *anal intercourse* (c.102), *the act of buggery* (c.106), *an unnatural act/that unnatural act* (c.114) compounded the preoccupation. This preoccupation was also found by Baker (2004b/2005:

Ch.2) in his analyses of the Lords debates on equalising the age of consent 1998-2000. None of the anti-equalisation references to sex between men were neutral; all occur in negative statements. References to *buggery* (c.78/c.101/c.106) and *gross indecency* (c.103/c.113) especially, evoke past laws and thus link sex between men to criminality, while the use of *unnatural* in relation to sexual acts (c.98/c.114) echoes religious edicts and links sex between men to sin. There was no anti-equalisation consideration of consent.

The anti-equalisation focus on sexual acts was accompanied by notable anxiety over uncertain sexual identity, to the extent that identity was considered only in terms of its absence; men with a 'homosexual' identity were dismissed. Absence of sexual identity was presented as 'the' problem in that the possibility of a non-heterosexual identity remained open. The implication of the 'pleas for time' is that young men's experience of sex with a man was seen as decisive in the formation of a non-heterosexual identity rather than one of life's experiences which may or may not be pursued. This is akin to the middle-class Victorian ideology of 'the fallen woman' in terms of its implied irreversibility; it was seen to debar young men from participation in 'respectable' life. That this irreversibility was not directly stated suggests it was less a deliberate feature of the argument than an underlying belief relating to corruption. If heterosexuality is viewed as 'natural' and 'normal', as it was by anti-equalisation speakers, then a non-heterosexual identity must have a cause. It posits gay identity as the product of corruption rather than positive choice. This links to the uncertainty associated with anti-equalisation speakers' use of *sexual orientation* and *sexuality*. Their anxiety about the protection of heterosexuality was particularly linked to terms inclusive of alternative sexualities.

The pro-equalisation emphasis on fixed mutually exclusive sexual identities was addressed by Waites (1995 reviewed above) and acknowledged to be a politically expedient argument. In the circumstances it was well deployed;

the vote for equalisation was nearly won. The positive side of this was that it brought young men's lives into the debate, albeit in fairly passive form. However, MPs who supported equality as a matter of principle, had varying degrees of familiarity with gay life and/or sexuality politics. Thus the arguments assuming fixed sexual identities reinforced views of distinct blanket categories of sexuality. This is not to belittle the importance of lesbian and gay identities in the struggles for legal reform but, like all blanket categories, they mask shifting spectrums of practices and identities, in societies and individuals, past and present.

Extending from the pro-equalisation focus on sexual identity and the anti-equalisation focus on sexual acts, an 'either-or' sexual identity was conflated with sexual practice. *Bisexual* men were referred to on one occasion by Edwina Currie (c.78), but no mention was made of, for example, the fact that a fair number of men who have sex with men (MSM) identify as heterosexual. As Weeks (2011: 188) points out "there is no necessary relationship between what your desires or sexual practices or behaviour are, and how you identify yourself". This raises questions about how sexual practices and sexual identities may be seen in the wider public by people unfamiliar with sexuality issues.

It is relevant that lesbian and gay identities were publicly claimed in the 1970s and 80s as a means of resistance. Both Weeks (2011: 189) and Waites (2005a: 17) note the attachment that many lesbians and gay men have to their identities. Yet, as Weeks (2011: 191) argues, "social categorisations have effects in the real world, whether or not they are direct reflections of inherent qualities or drives". In his analysis of later age-of-consent debates Waites (2005a: 158-180 & 2005b: 545-552) argues that both Stonewall's and pro-equalisation speakers' continued reliance on pragmatic claims that young men's sexuality is fixed by the age of 16 had repercussions. The claims were premised on "assurances that heterosexual identity formation was unthreatened" (2005a: 9). In continuing to protect heterosexuality, the claims perpetuated the prevailing social hierarchy of

the heterosexual/homosexual binary. Waites (2005b: 551-2) argues further that via the attendant mainstreaming of lesbian and gay identities in the media, fixity claims have entered “popular common sense” and are framing young people’s identity formation within the binary (*ibid*: 560-2). As Voloshinov argued:

[N]ew currents in behavioral ideology, no matter how revolutionary they may be, undergo the influence of the established ideological systems and, to some extent, incorporate forms, ideological practices, and approaches already in stock.  
(Voloshinov 1986 [1929]: 92)

The tension between the need for a positive group identity to engage in political struggle and the difficulty of shifting the unequal social status that necessitates that struggle, is further discussed in this study’s Conclusion.

Finally, in the case of the 1994 debate analysed above, the Conservative divisions over Europe suggest that even in a free vote other issues play a part. Of the 22 Conservative MPs who voted against John Major on the Maastricht Treaty (22.7.1993 cc.608-610), all voted against equalisation and 18/22 voted against reducing the age of consent to 18. None of the 43 Conservatives who supported equalisation voted against the Treaty. That John Major and his cabinet voted for 18 positions it as a political choice to support a weakened Government. Whatever anti-equalisation speakers’ personal views, their claims tapped into homophobic beliefs in a way that completely sidelined the young men affected by both the existing law and the amendment for equalisation.

## **Conclusion**

As in Chapter 5, this chapter too illustrates the influence of the wider political context on the proposals, processes and outcomes. The Conservative divisions over Europe pervade the political context. John Major’s pro-European position in a divided party was feasibly a factor in his promise of a free vote when

faced with the prospect of an ECtHR judgement. The Conservative division was, arguably, a factor in the late addition of the pro-18 amendment and certainly correlated with the positions taken by MPs in the debate and the vote, broadly: pro-16 and pro-EU; pro-18 and pro-Government unity; anti-18 and anti-EU. The correlation is also evident in the positive examples of other countries in pro-equalisation speeches and the affirmations of UK sovereignty in anti-equalisation speeches. This aspect of the political context does not feature in the research reviewed. While all three studies include the 1994 debate in content analyses, none analyse the language used.

The debate analysed in this chapter shows pro-equalisation arguments were generally practical and reasoned, in contrast to anti-equalisation reliance on the authority of official reports and metaphorical claims. The residual power of the claim that young men needed protection from ‘homosexual’ experience is evident in pro-equalisation speakers’ extensive rebuttal of it. That they took the claim at face value, illustrates the extent to which the status of heterosexuality was beyond question and thus protected. That young men were claimed to need more protection than young women exemplifies the importance of male gender boundaries in homophobic beliefs. The Words and Themes section of the analysis reveals an organisational contrast in each side’s contributions to the debate. On Flowchart 3, the integrated range of pro-equalisation keywords and collocates point to cohesive arguments. On Flowchart 4, the few minimally integrated anti-equalisation keywords and collocates point to unrelated claims. The top pro-equalisation keyword *MEN* and pivotal collocate *not* illustrate the extent to which arguments against anti-equalisation claims far outnumbered positive arguments for equalisation. The top anti-equalisation keyword *COMMITTEE* links to citings of official reports, while *PARENTS* functions as a generalised personification of the status-quo in which *PARENTS* are positioned as both heterosexual and anti-gay. In the Views of Sexuality section, the adjectives mark each side’s stance.

Anti-equalisation speakers premised their protection of heterosexuality on a criminalising and often graphic preoccupation with *homosexual* acts, alongside a polarisation of *homosexual* and *heterosexual* relationships. Pro-equalisation speakers used *homosexual* largely in arguments against anti-equalisation claims, while their uses of GAY were more focused on equal treatment and rights. The abstract nouns *sexuality* and *sexual orientation* link to issues of sexual identity. The mostly neutral reference of anti-equalisation uses of these two nouns link to claims of young men's unsettled or confused sexuality needing protection and mark their discomfort with potential for non-heterosexual identity. By contrast, only a third of the pro-equalisation uses of these nouns have neutral reference and occur in arguments for equal treatment. That pro-equalisation arguments were premised on sexual identity (as opposed to sexual acts) further supports the importance of group identity for engagement in political struggle.

Overall, the period of the Major government was one of struggle for social and legal recognition. The assertion of positive sexual identities was central to this struggle. The strongest suggestion of change in the period is a rise in the social valuation of equality and the slightly widening recognition that lesbians and gay men should not be excluded from it. A series of debates on the position of lesbians and gay men in the armed forces also took place in this parliamentary period and are investigated in Chapter 7.

## Chapter 7

### The Armed Forces (1995-6)

By 1996 the Major Government's majority was further reduced. The Conservatives had done badly in the European and local elections and had lost seven parliamentary seats in by-elections. In addition, the press had exposed a string of Conservative MPs involved in sexual or financial scandals; some had been accepting cash for asking questions in Parliament, others had been involved in secret trade deals including illegal arms sales to Iraq. The Back to Basics campaign, which John Major launched at the 1993 Conservative conference to unite the Party after Maastricht, had floundered and the divisions had become entrenched. He had intended the campaign to focus on the economy, law and order, and education, but right-wing MPs had wanted a moral crusade based on 'family values' with single mothers claiming benefit as a specific target (Durham 1994: 14). Reports of sexual scandals led to accusations of hypocrisy. Back to Basics became widely ridiculed in the press, as was John Major himself. In 1995, he called his critic's bluff by resigning as party leader (Wintour *et al* 23.6.1995). He won the ensuing leadership election, but Conservative in-fighting and press hostility persisted. It was prior to the 1997 general election that Rupert Murdoch asked Major to change his pro-EU policies or forgo his papers' support in the forthcoming election (Leveson 29.11.2012: 1132).

This chapter outlines attempts to allow lesbians and gay men to serve in the armed forces. The debates span 11 years, but no research on them has been found. A summary of the passage of the 1995-6 Armed Forces Bill is followed by an account of the relevant debate. Comparisons of each side's top-ten keywords and the sexuality terms used are followed by a discussion.

### **Political Context**

The armed forces and merchant navy were excluded from the 1967 Sexual Offences Act. Calls for change in the law began in 1985 after the Cyprus ‘spy’ trial revealed details of custodial treatment including “unacceptable interrogation techniques which led to false confessions” (Civil Liberty 1986). Seven signals-intelligence men were acquitted of passing secrets to Soviet agents said to be blackmailing them for holding homosexual parties (Keel *et al* 29.10.1985). The NCCL briefed MPs before the second reading of the 1985-6 Armed Forces Bill (21.11.1985 cc.433-468) and submitted evidence to its Select Committee which recommended changes in disciplinary procedure, questioning, and treatment in custody, plus discharge rather than imprisonment and an effective grievance procedure (Civil Liberty *ibid*). At the Bill’s Report stage (10.4.1986 cc.410-470), Kevin McNamara, Labour spokesman for defence and disarmament, proposed that homosexual conduct be exempted from service law unless it was “prejudicial to good order and discipline” (cc.442-6); he was defeated by 104 to 34 votes. At the Bill’s Committee stage in the Lords (19.5.1986 cc.23-69), Lord Graham moved an amendment to abolish the forces’ exemption from the 1967 Act; he withdrew for lack of support.

Under the Major Government, the issue was recurrent. At the annual approval of the Army, Air Force and Naval Discipline Acts (Continuation) Order (17.6.1991 cc.90-119), John Reid, Labour defence spokesman, welcomed cross-party support for a Select Committee recommendation that “homosexual activity of a kind that is legal under civilian law should not constitute an offence under service law” (c.92). At the Lord’s Committee stage of the 1990-1 Armed Forces Bill (24.7.1991 cc.805-820), Lord Rea proposed enactment of the Committee’s recommendation; he withdrew for lack of support.



In 1992, Rank Outsiders and Stonewall gave evidence to the Armed Forces Select Committee. The Committee again recommended that prosecutions should cease for 'homosexual activity' legal in civilian life. At the annual approval of the Discipline Acts (Continuation Order) (17.6.1992 cc.989-1012), Jonathan Aitkin, Minister for Defence Procurement, announced Government acceptance of the recommendation, having stressed "homosexual activity [was] incompatible with service in the armed forces [and that they] should not be required to accept homosexuals" (c.989). At the Lords approval of the Order (23.6.1992 cc.387-397), Viscount Cranborne, for the Government, emphasised that the Select Committee agreed with the MoD policy of excluding homosexuals. The MoD adopted a policy of administrative discharge instead of prosecution.

The Government made no attempt to enact the recommendation during 1993. As Pink Paper headlined (14.2.1993), 'MoD defensive over forces ban'. The delay prompted Michael Brown to ask when legislation was planned and for a breakdown of discharged personnel (19.2.1993 c.358W). At the approval of the Continuation Order (21.6.1993 cc.121-145), Jeremy Hanley, the Armed Forces Minister, stated the recommendation was being followed "administratively until [the law was] changed" (c.124). Andrew Rowe pointed out that lesbians and gay men were still being "drummed out of the forces [even if their relationships were] well away from any Army establishment" (c.124). He was supported by John Reid, Edwina Currie and Menzies Campbell. Investigations into the lives of men and women suspected of being gay were continuing, plus gruelling interrogations and physical examinations of men. Tony Banks read out the instructions for physical examination. Edwina Currie noted, "if such an examination were carried out in civilian life it would almost certainly constitute an offence in itself" (c.137). Harry Cohen added that if a man refused "to undergo such an examination, a further disciplinary charge [could] be brought against him" (c.137). Mike Watson highlighted assumptions underlying the instructions', including those of sexual

deviancy and mental illness (cc.139-40). When the Lords approved the Order (9.7.1993 cc.1689-1698). Lord Mayhew and Lord Williams queried Viscount Cranborne's claim that no opportunity had arisen to enact the recommendation.

The delay prompted parliamentary questions after the summer recess: Harry Cohen (30.11.1993 cc.526-8W), Mike Watson (1.12.1993 c.607W), Edwina Currie (16.12.1993 c.824W), Lord Gainford (16.12.1993 cc.140-1WA), Edwina Currie (8.2.1994 c.235W), Chris Smith (11.3.1994 c.420W). The recommendation was finally included as a last-minute amendment to the Criminal Justice and Public Order Bill (12.4.1994 cc.169-172). It provoked no direct opposition, but noisy interruptions from the bar are recorded as it was introduced. While the Bill was in the Lords, Barbara Roche requested details of dischargees since 1991 and was told she would be written to (5.5.1994 c.587W). Two weeks later Paul Flynn followed up her request and was told a copy would be put in the Commons library (20.5.1994 c.603W).

At the Lords Committee stage (20.6.1994 cc.74-168), Lord Boardman moved an amendment to ensure "homosexual conduct [would] continue to be a ground for administrative discharge" (c.86). His rationale was that without it further reforms would succeed and homosexuals would be allowed to serve. He was supported by a succession of peers with links to the military who scarcely feature in other debates in this study. Only Lord Monkswell challenged the amendment. Viscount Cranborne argued that although the Government agreed with the amendment's aims, it was unnecessary as MoD regulations covered the issue. Lord Boardman called a vote and won by 82 to 61. At the Bill's third reading (19.7.1994 cc.143-228) Viscount Cranborne's amendment to ensure prosecution for behaviour contrary to good order and discipline was accepted with minimal debate (cc.190-1).

During the parliamentary recess, details of the discharged lesbians and gay men reached the press. Among 259 dischargees were four army majors, four

captains, two chaplains, a squadron leader, two fight lieutenants, plus two lieutenant commanders. In addition, lawyers had decided that unfair dismissal claims were feasible under EU law. This made the headlines, for example: ‘MOD FACING MASSIVE PAY-OUTS TO GAYS’ (Oborne 5.8.1994); ‘MPs fear sacked gays will sue the MoD’ (Pierce 5.8.1994); ‘Axed gays may claim millions’ (Travis 5.8.1994). Some papers featured case-histories of investigations (Travis 5.8.1994; Harrison/Ward 6.8.1994; Cooper 8.8.1994). The Guardian (5.8.1994), revealed a ‘Lesbian Index’ was held on the MoD criminal-record computer. MoD sources claimed “We dismiss without prejudice” (Travis 6.8.1994). Meanwhile Barbara Roche was pursuing the cost of training the dischargees (Travis 5.8.1994).

When the Commons considered the Lords amendments (19-20 October), the armed forces were not discussed. Sections 146-148 of the Act apply to the armed forces and merchant navy:

146 Extension of Sexual Offences Act 1967 to the armed forces and merchant navy

(1) Section 1(5) of the Sexual Offences Act 1967 (homosexual acts in the armed forces) is repealed.

(2) In section 80 of the [1980 c. 62.] Criminal Justice (Scotland) Act 1980—

(a) subsection (5) (homosexual acts in the armed forces) shall cease to have effect;

(b) in subsection (7)—

(i) after paragraph (b) there shall be inserted the word “or”; and

(ii) paragraph (d) (homosexual acts on merchant ships) and the word “; or” immediately preceding that paragraph shall cease to have effect; and

(c) subsection (8) (interpretation) shall cease to have effect.

(3) Section 2 of the [1967 c. 60.] Sexual Offences Act 1967 (homosexual acts on merchant ships) is repealed.

(4) Nothing contained in this section shall prevent a homosexual act (with or without other acts or circumstances) from constituting a ground for discharging a member of Her Majesty’s armed forces from the service or dismissing a member of the crew of a United Kingdom merchant ship from his ship or, in the case of a member of Her Majesty’s armed forces, where the act occurs in conjunction with other acts or circumstances, from constituting an offence under the [1955 c. 18.] Army Act 1955, the [1955 c. 19.] Air Force Act 1955 or the [1957 c. 53.] Naval Discipline Act 1957.

Expressions used in this subsection and any enactment repealed by this section have the same meaning in this subsection as in that enactment.

147 Homosexuality on merchant ships and in the armed forces: Northern Ireland

(1) In the [S.I. 1982/1536 (N.I. 19).] Homosexual Offences (Northern Ireland) Order 1982, the following are revoked—

(a) in article 3(1) (homosexual acts in private), the words “and Article 5 (merchant seamen)”; and

(b) article 5 (homosexual acts on merchant ships).

(2) Article 3(4) of the Homosexual Offences (Northern Ireland) Order 1982 (homosexual acts in the armed forces) is revoked.

(3) Nothing in this section shall prevent a homosexual act (with or without other acts or circumstances) from constituting a ground for discharging a member of Her Majesty’s armed forces from the service or dismissing a member of the crew of a United Kingdom merchant ship from his ship or, in the case of a member of Her Majesty’s armed forces, where the act occurs in conjunction with other acts or circumstances, from constituting an offence under the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957.

Expressions used in this subsection and any enactment repealed by this section have the same meaning in this subsection as in that enactment.

148 Amendment of law relating to homosexual acts in Scotland

In section 80(6) of the [1980 c. 62.] Criminal Justice (Scotland) Act 1980 (which defines “homosexual act” for the purpose of section 80), after “gross indecency” there is inserted “or shameless indecency”.

(Criminal Justice & Public Order Act 1994, c.33, Part XI Sexual Offences: Homosexuality)

In the military, the ban remained. Intrusive investigations including surveillance operations and prurient interrogations continued. Hall (1995) documents various investigations from interviews with discharged lesbians and gay men, plus cases of (then) still serving lesbians and gay men with identifying details changed.

In 1995, claims that the MoD kept a secret database of lesbian and gay personnel and their civilian friends in contravention of the Data Protection Act prompted investigation (Burdon 7.1.1995). Capital Gay (13.1.1995) reported that the police, Post Office and BT could access the list. Hall (1995: 46-7) also shows information was shared with Post Office and BT intelligence departments. David Clark, shadow defence secretary, asked questions; Nicholas Soames, the Armed Forces Minister, admitted databases were kept on “service personnel suspected of breaching service law” and that the civilian police could request and receive information from them (18.1.1995 c.550W; c.551W).

With Stonewall’s and Rank Outsiders’ support, four dischargees secured a

judicial review under the EU Equal Treatment Directive. The press focused on Labour's intention to repeal the ban (Lansdale 22.4.1995; Malone/Routledge 23.4.1995; Lawson 25.4.1995). The review reached the High Court in May. Jeanette Smith, Graeme Grady, Duncan Lustig-Prean and John Beckett sought restitution. The careers of four suspended RAF officers who had refused to resign their commissions also depended on the outcome (Rayment 15.5.1995). The hearing lasted five days. The appellants argued that the ban was based on prejudice and intolerance, was incompatible with human rights and a waste of training (Aston 15.5.1995; 16.5.1995). The MoD argued that the ban preserved morale, efficiency and security and was a matter for Parliament and the military (*ibid* 16.5.1995; 17.5.1995). The Court reserved judgement (*ibid* 19.5.1995).

While the judges considered the case, Lord Boardman sought Government assurance that exclusion of homosexuals would continue (23.5.1995 cc.913-5). He was told the Government had no plans for policy change, but was challenged by Lords who opposed the ban. The judges reported in June. Lord Justice Brown concluded that they "could not overturn the ban [but doubted the policy could] survive much longer" (Ward 8.6.1995). Mr Justice Curtis would have liked "more evidence of the harm recruiting homosexuals was supposed to cause" (Fairhall & Dyer 8.6.1995). They referred the matter to Parliament, but gave the appellants leave to appeal and did not award costs.

The MoD announced a policy review in September, a month before the appeal hearing. The hearing lasted three days. The arguments were restated. The judgement was reserved (Aston 11.10.1995). The judges reported in November. They declared the ban legal, but stated the policy was "ripe for review and [...] replacement by a strict conduct code" (Johnson 4.11.1995). The lack of MoD evidence was again noted. Nicholas Soames welcomed the judgement, but said the MoD review would continue (Ward 4.11.1995). The review was considered by the Select Committee for the 1995-6 Armed Forces Bill.

### **The Passage of the Bill**

As required every five years, the Bill's purpose was to renew the Armed Forces Discipline Acts. At its second reading (HC 13.12.1995 cc.1024-1069), Nicholas Soames deferred discussion of the clauses until the Select Committee had considered them. Alan Howarth asked if he would be legislating to allow homosexuals to serve; Nicholas Soames did "not intend to go into that matter" (c.1025). Robert Key supported the ban. Menzies Campbell wanted the House to review it. Harry Cohen read out the High Court appellants' service records and condemned the First Sea Lord's call "for a campaign to retain the ban"; the MoD review was compromised by a lack of anonymity and came close to encouraging hostility towards serving homosexuals (c.1054). Andrew Hargreaves disagreed profoundly. Nicholas Soames consigned the review to the Committee.

A leaked draft of the MoD review report reached the press in January. It suggested a 'don't ask, don't tell' policy' (Fowler 1.1.1996)—to the fury of forces chiefs (Rayment 1.1.1996). The MoD survey of serving personnel was reported to be "risible" (Toynbee 3.1.1996), involving group hands-up votes and leading questions such as "Would you be frightened of going to the aid of a bleeding comrade if you knew he was gay?" (*ibid*). A leaked army report suggested "a code outlawing sexual harassment if [it was] forced to admit homosexuals" (Bowcott & Fairhall 13.1.1996). A later report, headlining the forces intended refusal to lift the ban (Rayment 23.1.1996) claimed forces personnel did "not want to work alongside gay comrades" and gratuitously reiterated leading questions from the survey such as "Do you find acts of homosexual and lesbian sex abhorrent? [and] Would you feel comfortable sleeping in the same room as a homosexual?". By contrast Matthew Parris (29.1.1996) compared the statements of the UK forces chiefs on discipline, morale and combat efficiency to those of the US chiefs in

1949 when racially integrated military units were proposed. See McGhee (2001: 29-36) for a fuller discussion of the MoD review and its implications.

In February, the Evening Standard reported Michael Portillo, Secretary of State for Defence, had “heeded the warnings of defence chiefs and the results of a survey which found an overwhelming majority of officers and other ranks in favour of maintaining an outright ban” (Reiss 6.2.1996). Michael Brown asked when the MoD review would be published and for confirmation of the Evening Standard claim; Nicholas Soames said he had not received the report and had not read the article (HC 6.2.1996 c.123). The Guardian reported an MoD attempt “to influence reporting of the armed forces internal review document” (Johnson 26.2.1996) and published extracts from a leaked plan suggesting its release be managed to give “an impression of open-mindedness and conclusions based on rational, practical management considerations” (quoted *ibid*).

Michael Portillo announced the MoD’s decision to retain the ban the day its review was published (3.3.1996). The Independent reported the biased survey and plans to take the case to the ECtHR (Brown 4.3.1996). The Sun headlined ‘OUR BOYS DON’T LIKE IT UP ’EM!’ (5.3.1996). Amid a two page spread, the Mirror listed comments from the survey both for and against the ban (Bradshaw 5.3.1996). Many of the former brooded violence. For example: “The first gay who came out would get attacked or shot.” (Sergeant, Guards); “If a homosexual was on board he would have an accident waiting for him when no-one was looking.” (Able Seaman, Royal Navy); “I would never serve in a unit where a known homosexual is serving. And I, like many others, would quite happily smash their faces in if I found any.” (Corporal, Royal Signals). Nicholas Soames was reported to be fighting to retain the ban (Mills 5.3.1996).

Later in March, evidence given to the Select Committee reached the press. The Guardian reported service chaplains and doctors were under pressure from commanding officers to inform on sexual orientation in breach of confidentiality,

although the MoD pointed out that doctors were within the chain of command (Fairhall 20.3.1996). The Independent focused on a wren who had been raped then blackmailed by her attacker. When she confided in an officer she was put under investigation (Bellamy 20.3.1996).

In April, the Independent reported that Labour MPs would have a free vote when the Bill reached its report stage in May, as Tony Blair was “unlikely to run directly counter to the strong hostility of the armed forces chiefs to lifting the ban” (MacIntyre 29.4.1996). The Select Committee report (published 7.5.1996) endorsed the ban. The Committee was persuaded by the MoD review and the fierce opposition to policy change. It accepted the view that homosexuals would undermine morale and operational efficiency, but was concerned about lapses in chaplains’ and doctors’ confidentiality. It recommended chaplains’ confidentiality be protected and personnel be told doctors’ confidentiality was not guaranteed (*ibid*: xiv). The report reveals robust questioning of MoD representatives and forces chiefs which confirmed the use of agents provocateurs in investigations and covert lack of anonymity in the survey questionnaires (*ibid*: 90-98).

Stonewall’s evidence (*ibid*: 99-105) included:

Immediately [the review] was announced, and indeed prior to its announcement, there were very, very strong statements from the Chiefs of Staff, and indeed from politicians, which stated the Ministry of Defence’s absolute determination to fight to keep the ban, and indeed we have included in our evidence letters from the Head of Army Personnel and Discipline, which state quite clearly that the Ministry of Defence [was] going to conduct a review to find justifications for keeping the ban.

(Angela Mason, HC Special Report from the Armed Forces Select Committee 7.5.1996: 99)

Paul Schulte, head of the MoD review team, was recalled for further questioning about the survey (*ibid*: 109-110), which did no more than confirm its invalidity.

In response to the Committee’s decision, Edwina Currie, Michael Brown, Gerald Kauffman and Menzies Campbell, tabled a cross-party amendment which proposed a code of sexual conduct applicable to all.



### **The Debate**

The debate was held two days after publication of the Select Committee report and lasted two hours (HC 9.5.96 cc481-512). Twenty-eight MPs spoke: 17 made speeches, 12 in support of repeal (Appendix 35). Only three women spoke, all supported repeal. Many speeches were short; most were self-contained. Interaction was sparse. Only five speakers were challenged, only two repeatedly (John Reid and Nicholas Soames). Labour and Liberal Democrat MPs had a free vote; Conservatives were under a three-line whip. Even so, seven Conservatives supported it, four of whom made speeches. Eight Labour MPs voted against. The amendment was defeated by 188 to 120 votes. Only 308/651 MPs voted. Notable among the Labour absentees was Tony Blair. His absence on top of allowing a free vote, was seen as a betrayal of Labour policy (Rentoul 10.5.1996).

Edwina Currie introduced the amendment: part one proposed the code of conduct, part two that discrimination based on sexual orientation be outlawed. She argued the code of conduct would protect all personnel by stipulating that inappropriate behaviour would not be tolerated; the amendment's supporters disapproved "profoundly of irresponsible behaviour" (c.482). Noting that military law treated other offences as discretionary, enabled her to say the amendment's supporters viewed the ban as based on prejudice—which remained unattributed. She then related the resulting discrimination to cost:

All discrimination is inefficient—which is one reason why I, as a Conservative, object to it. But this discrimination, in particular, costs the taxpayer a great deal of money. It has been worked out that each investigation takes approximately 30 working days, and longer in the case of officers. The costs of basic training, including salary and administration, have been estimated at £30,000, and training costs for officers who are dismissed are substantially higher. [...] Hundreds of trained men and women are discharged, yet we are told that the MOD is short of money. (c.482)

She illustrated the point by reading out the exemplary service records of the High Court appellants who were taking their cases to the ECtHR. In emphasising that most countries in Europe, NATO and the UN had no such ban, she pointed out that British troops had no difficulty serving alongside those from other countries. This prompted Julian Brazier to refer her to the forces' survey. Her response was robust. She cast the MoD's reaction as "curious" (c.484). It had not conducted a survey on whether women should serve alongside men and Parliament had not pandered to prejudice on that issue; it had ensured the new rules were obeyed. She then gave examples of SIB (Special Investigations Branch) officers acting as agents provocateurs and surveillance tactics. Such activities were time-wasting and costly. The forces were out-of-step with social change.

It was a strong and comprehensive speech. Despite the self-containment of subsequent speeches, the concerns of amendment supporters were habitually linked to discrimination and prejudice, which threaded like an 'ideological chain' (Voloshinov 1986: 11) through their speeches. Yet no-one attributed prejudice or discrimination directly to the forces chiefs.

Menzies Campbell hoped not to do the Select Committee an injustice by seeing nothing new in its analysis as reported:

Perhaps that is inevitable, because the ground that we are considering is well traversed. The only correct way to approach such an issue is on the basis of principle. I believe firmly as a matter of principle that there should be no discrimination against any person by virtue of race, colour or sexual orientation. (c.485)

This oblique criticism avoided identification of those seeking discrimination.

Michael Brown directed his criticism at Nicholas Soames, for following the Committee's recommendation:

Prejudice is prejudice, whether it is racial or sexual, and prejudice is wrong. It must be outlawed. [...] I want the House of Commons always to be the place where discrimination and prejudice are outlawed, ... (c.487)

The focus of his argument was the inevitability of an ECtHR judgment:

I believe that the House of Commons should be the place to which those who suffer injustice and prejudice should come, but although I am a Euro-sceptic, I cannot blame those who cannot obtain justice from the House for exercising their right to go to the European Court and using the European convention. (c.487)

He paid tribute to the discharged men and women, and the numerous others quietly serving their country who were not yet “grassed up” (c.488) by the SIB.

Kevin McNamara referred to his 1986 amendment after the Cyprus spy trial. Past and present, his concern was the incongruity of civil and military law:

First, it was basically wrong that two individuals could be engaged in a sexual act that would be completely legal for one person, but for another it would be a disciplinary fault for which he would be dismissed from the armed forces. [...] Secondly, [...] There could be nothing worse than for members of the armed forces to risk their careers, and perhaps [...], put their country at risk for doing something which, [...], was accepted in civilian life. [...] Those two reasons seemed compelling then, and they remain compelling. (c.488)

He regretted the lack of a Labour whip on the vote.

Gerald Kaufman pointed out that the Government was not bound by the Committee’s decision. His main criticism was directed at the Commons:

Last night, I was reading "Roads to Ruin: The Shocking History of Social Reform" by E. S. Turner. He has looked at rearguard actions against sensible and decent reform over the centuries. What emerges from that great book is that the kind of untenable, illogical and prejudiced arguments that have been advanced against new clause 1, which I have signed, were advanced about all other kinds of social reform on which we would regard it as ludicrous that they should even have been debated. (c.492)

The Commons was a House of “belated reform” (c.492).

Alan Howarth saw prejudice as the core issue:

It is not fitting to condone prejudice and injustice in the armed forces any more than it is elsewhere in society. It is clearly prejudice that we are discussing. Some of the world's greatest and most famous soldiers have been homosexual. [...] It would have been right for the Government to give the lead in seeking to undo the culture of prejudice within the armed services by banning discrimination on the ground of sexuality. Sadly, the Government have not chosen to do so. (c.494-5)

Andrew Rowe gave a hypothetical example:

What sticks in my craw, as much as anything, is the thought that, if a man has served in the armed service for perhaps 10 years—he may well have been decorated and subjected to the most extraordinary perils—and if by some mischance he has an accident and as a result of consequent medical examination is discovered to be a homosexual, even though he may have lived 180 miles away from the base and there has never been a flicker of a suggestion of improper, indecent or offensive behaviour, and he has been a model of discipline, he will lose his job. His livelihood and everything else will be lost. All he has done for the nation will be thrown away by sheer mischance and the prejudice that exists within the armed services. It is not fair, it is entirely improper, and it flies in the face of the causes for which the armed services claim to stand. (c.495)

Tony Banks targeted the lack of anonymity imposed on the forces' survey:

How can we possibly accept that the survey is socially just or statistically admissible? It is no good saying that we will allow prejudice to determine policy. That is precisely what this is all about—not wanting homosexuals in the Army. [...] We should not abrogate our power and responsibility to the British people, because those who are prejudiced say that they do not want any change in the way in which we organise the armed forces. We cannot accept that survey as acceptable on any terms. (c.496)

Harry Cohen based his speech on an interview with a gay WWII veteran:

There was no such discrimination in the second world war. According to statistics, at least 250,000 homosexuals served in the British forces during that war. One of those was a Mr. Dudley Cave, now aged 75. He was quoted in *The Guardian* yesterday, and I shall just read a little bit of the article: [...] Contrary to the current fears of the generals, during the war there was no evidence that homosexual soldiers undermined unit cohesion: 'All the gays and straights worked together as a team. We had to because our lives might have depended on it'. If that discrimination was unacceptable in wartime, it is unacceptable in peacetime as well, and I say that the ban should go. (c.497)

In citing *the generals*, he avoided attribution of discrimination by use of *fears*.

Clive Betts argued the case of his constituent, John Beckett:

The House should know that John Beckett has not committed any crime—he has simply offended against bigotry and prejudice, and those who hold those views. The Select Committee has collected many pages of evidence, but, however many pages it collects, it cannot prove that bigotry and prejudice are right. (c.498)

If the amendment was not passed, the House would be guilty of preventing John Beckett and others from serving their country simply because of their sexuality.

The final pro-repeal speakers appealed to the Minister. Nigel Spearing was shocked by the Select Committee report. He wanted use of agent provocateurs

reviewed and chaplains' duty of confidentiality protected. He hoped the Minister would explain why a code of conduct was unacceptable. Tony Banks pointed out that the Minister was "not even listening" (c.499). Gordon Prentice hoped the Minister would note Australia's experience, where the chiefs of staff had opposed their ban being lifted but, after an initial outcry, it had become a non-issue. The parallel with Australia circumvented a focus on UK forces chiefs.

Speakers supporting repeal concurred in their views of the ban's effects, the MoD review, and the Select Committee report. This is in contrast to the five MPs who made speeches opposing repeal, two of whom (Robert Key and John Reid) were at odds with their adopted position.

John Wilkinson and Peter Viggers were both ex-military and resolutely supported the Select Committee recommendation. John Wilkinson justified the decision by invoking members of the armed forces who believed homosexuality was incompatible with forces life. With dismissive reference to the Maastricht Treaty, he argued that disciplinary decisions in the armed forces should rest with member states. Peter Viggers had chaired the Select Committee and wished to assure the House of "the care and concern" (c.496) it had put into considering the issue. In view of the forces' overwhelming support for the status quo, he was confident the Committee had made the right decision.

Robert Key had sat on the Select Committee, put his name to its report and was voting against the amendment, but spoke largely in support of repeal. He outlined his experience of interviewing forces personnel:

We, the members of the Committee, talked to service men and women on and off duty in England, Northern Ireland and Germany. Initially, I thought that it was a put-up job. I thought that all the people lined up for us to speak to must have been hand-picked and told what to say. As the week went by, we met scores of people who continued to say the same thing. (c.493)

He continued:

I came to realise that, in the British armed forces, there is a deep and genuine conviction that homosexuals have no place in service life. (c.493)

He feared change would “be forced on the services too fast [and would] need a massive change of culture” (*ibid*). He had much sympathy with the amendment, but it was “not the time to press it” (c.494). His citing of evidence given to the Committee in support of lesbian and gay personnel, prompted Lynn Jones to suggest he support repeal. She asked for evidence that homosexuals were “more likely than heterosexuals to behave in an improper fashion”. He replied “there is no such evidence” (*ibid*) and went on to criticise both the chaplains’ breaching of confidentiality and the SIB’s surveillance tactics. This modifies his support for the ban at the Bill’s second reading (13.12.1995 c.1048) and suggests evidence given in Committee had changed his view.

John Reid too had sat on the Committee and was in an awkward position, as noted by his challengers. Having for years supported repeal, he argued against it. He presented the issue as a clash between principle and practical problems—a balance between civil rights and military imperatives. He could speak only for the Labour members of the Committee whose approach to the problem had three premises: no moral judgments, a focus on practicality, and consideration of the armed forces. In qualifying these premises he highlighted prejudice:

On the basis of those premises, when we cut through the fog, the propaganda and the prejudice, three essential questions remain. First, would allowing homosexuals openly to join the armed forces tend to weaken operational effectiveness? Secondly, would it be possible in the imposed social intimacy of the armed forces to guarantee the right to privacy of the sexual preference of homosexuals and the right to privacy of heterosexuals? Thirdly, is there an obvious compromise that might satisfy both sides? (c.501)

This tri-partite formula was extended to operational effectiveness. He argued the fighting power of a force depended on strategy, resources and morale. It was the latter that was likely to be undermined by a special relationship between staff, especially if it was romantic or sexual. Edwina Currie reminded him that people

were discharged regardless of any relationship. George Galloway sympathised with his difficult brief, which suggests he had been asked to defend the ban. Andrew Bowden saw him as “indulging in disgraceful weasel words [and trying] to stand on both sides of the fence at the same time” (c.503). The reply was first, Labour had a free vote and second, he did not underestimate the civil-liberties arguments, but balancing homosexual and heterosexual rights to privacy was an “intractable conflict” (*ibid*). Peter Snape, another Labour Committee member, felt the forces’ views deserved “better consideration than being denounced as mere homophobia” (*ibid*). John Reid agreed, but qualified:

Individuals have a range of feelings that are often difficult to classify because they range from irrational prejudices to moral perceptions. Sometimes, that distinction is not made, although I must say to my hon. Friend, who has been helpful, that there are hon. Members who will be in the same Division Lobby as me tonight who sometimes seem incapable of presenting a logical argument because they are blinded with prejudice. (c.503)

He emphasised, the Labour members’ decision “was not taken lightly or without agonising” (c.504). Michael Brown fully understood “the particular responsibility” of John Reid’s position (*ibid*), but the country needed to know what Labour would do with a ECtHR judgment. He replied, “we have not argued that the position will never change” (*ibid*). George Howarth asked, if the clause was defeated, whether the armed services should be persuaded not to “peddle prejudice as an excuse for excluding people” (*ibid*). John Reid replied that portraying the armed forces “as a bunch of redneck, thick-skulled bigots” was no way to advocate the case for change (*ibid*). He then acknowledged that George Howarth was not doing that, which suggests he was interjecting his own view. He concluded that there was no easy answer (c.505). Yet in defending the ban he exposed the force of prejudice behind the resistance to change.

Nicholas Soames, was committed to defending the ban and presented the decision as a practical assessment rather than a moral judgment. Tony Banks asked if he was aware that there were many homosexuals in the forces at that

time. In reply, he acknowledged the fact, but said he would deal with it later. On the ECtHR case, he believed the Government's decision was right and would be defended in any court. Robert MacLennan asked if the Government had consulted other Governments. The answer was yes, but that he would deal with that later. On cost to taxpayers, he suggested the figures "bandied about" were uncertain and that change would affect recruitment and retention bringing "considerable cost penalties" (c.506). On agents provocateurs, he said service police were not allowed to engage in such activity and he would not tolerate it. Terrence Higgins asked if it was a sensible use of resources to identify homosexuals who wanted to keep it to themselves. Nicholas Soames agreed, but argued:

While a new code of conduct might appear to be symmetrical in its effect on heterosexuals and homosexuals, it would not solve the problem of anticipated loss of cohesion or operational effectiveness caused by the knowledge or strong suspicion of the sexual identity of homosexual personnel. We do not believe that a code of conduct, no matter how rigorously enforced, would adequately address the issues of privacy or decency and it would not be possible or desirable to provide separate facilities for homosexuals and heterosexuals. (c.507)

Eddie Loyden, who had fought in WWII, pointed out:

There was no discrimination then. I was in no fewer than seven troop ships carrying men and women to the four corners of the globe to fight on behalf of the nation. There were no questions about homosexuality then. What the Government are saying is the height of hypocrisy. If there was a war tomorrow, there would be no discrimination against homosexuals or lesbians. They would be dragged in just as they were in 1939. (c.507)

Nicholas Soames called this intervention a "splendid sally" and turned to comparisons with other countries, which he did not see as relevant to Britain. Nor did he see comparisons to race and sex discrimination as relevant because of the "insoluble problems of decency and privacy" (c.508). He refused all further requests to give way and moved on to the High Court recommendation of a policy review. Both the Select Committee and Government had accepted the review's recommendation of no change. It was his duty to maintain the effectiveness of the armed forces and he urged the House to reject the amendment.



Edwina Currie thanked MPs for their cross-party support and stressed she would rather the House repealed the ban. The vote was followed by the Bill's third reading (cc.512-21) which included views on an ECtHR judgment. Amidst recriminations, the next days' papers had Tony Blair supporting the ban's repeal in principle, but arguing it had to follow careful negotiations with the military chiefs (Shaw 10.5.1996; White 11.5.1996). However, it was the ECtHR judgments (27.9.1999: *Smith & Grady v UK*; *Lustig-Prean & Beckett v UK*) that finally got the ban lifted (HC 12.1.2000 cc.287-301) and replaced by a code of conduct. Yet, while this enabled lesbians and gay men to serve, McGhee (2001: 45-52) shows that the code of conduct was premised on passing as heterosexual.

### Words and Themes

The following analyses focus on each side's top-ten keywords (Appendices 39 & 40) and their collocates (Appendices 41 & 42). Core features of each side's contributions to the debate are shown on Flowcharts 5 and 6 below.

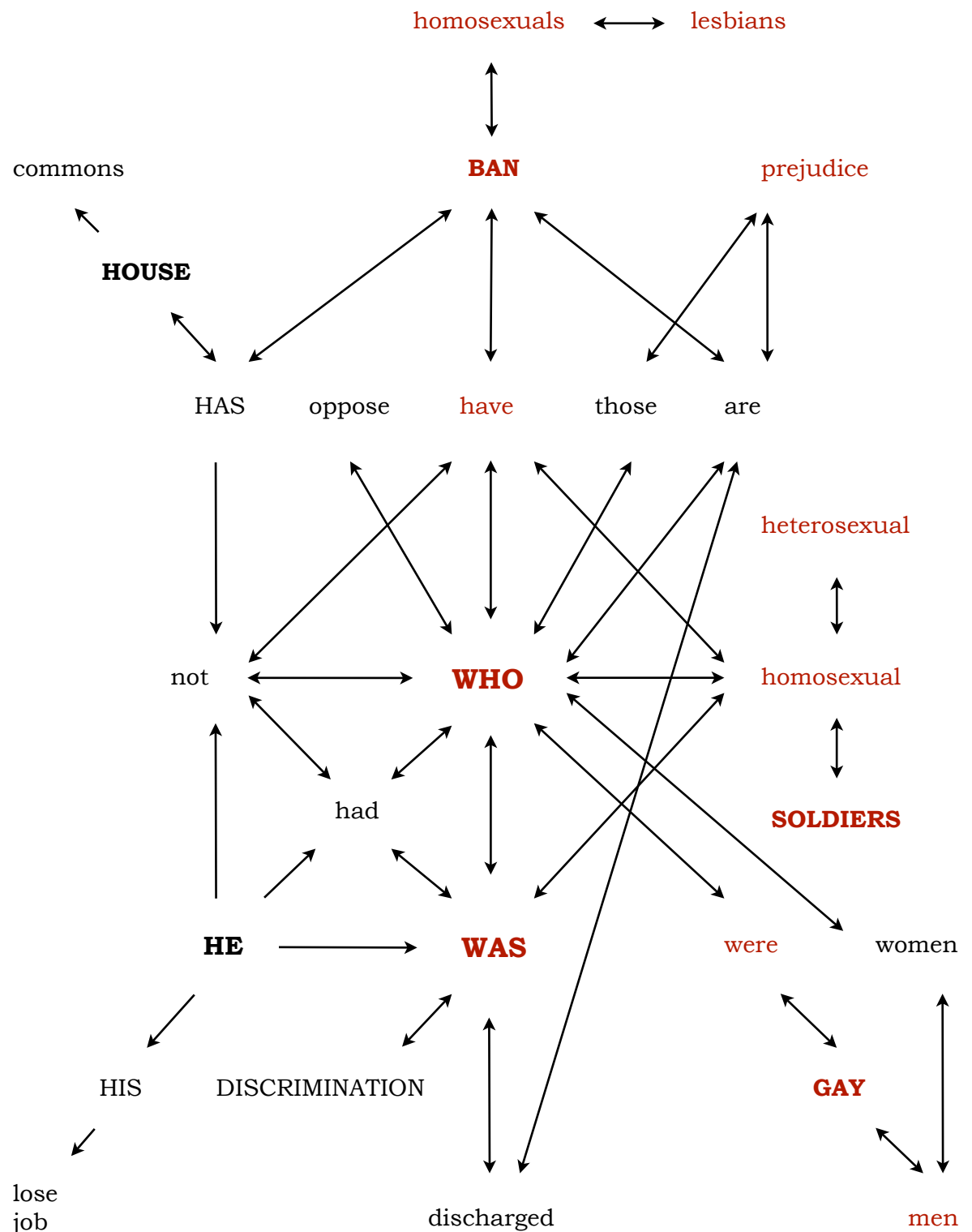
\*   \*   \*

On Flowchart 5, the pro-repeal keyword *WHO* is pivotal. It refers mainly to forces personnel or people blocking repeal, as do most keywords (Appendix 40) and collocates (Appendix 42) on the chart.

The lines for *WHO* (Appendix 43) show that it refers specifically to:

<i>serving forces personnel</i> (8 lines)	<i>Michael Portillo</i> (2 lines)
<i>people opposing reform/the new clause</i> (8 lines)	<i>'Who knows?'</i> (2 lines)
<i>the High Court/ECtHR appellants</i> (6 lines)	<i>an Israeli serviceman</i> (1 line)
<i>SIB investigated/dismissed personnel</i> (4 lines)	<i>anyone who studies Hansard</i> (1 line)
<i>supporters of reform/the new clause</i> (4 lines)	<i>Australian chiefs of staff</i> (1 line)
<i>MoD survey participants</i> (3 lines)	<i>men who go cottaging</i> (1 line)
<i>MPs in general</i> (3 lines)	<i>not only nice girls who love a sailor</i> (1 line)
<i>SIB investigators</i> (3 lines)	<i>Robert Key</i> (1 line)
<i>heterosexual soldiers dismissed for murder</i> (2 lines)	<i>troops from other NATO countries</i> (1 line)
<i>John Wilkinson</i> (2 lines)	

Flowchart 5: Pro-repeal Keyword and Collocate Network



key: **BOLD CAPITALS:** keywords in the top ten

**BLACK CAPITALS:** keywords

**RED CAPITALS:** sexuality-term keywords and keywords collocating with sexuality terms

black lower case: keyword collocates

red lower case: sexuality terms and sexuality-term collocates

Twenty-six lines refer to UK forces personnel. These include serving personnel:

1	e of living soldiers, men and women who are serving in the armed forces right no	EC 9.5.pro.txt
2	would protect those in junior ranks who might be at risk of sexual harassment. I	EC 9.5.pro.txt
19	undreds of service men and women who the special investigations branch have n	MB 9.5.pro.txt
20	e are gay people in the armed forces who have not yet been grassed up by the spe	MB 9.5.pro.txt
32	d forces, not those homosexual men who loyally serve their country and are ready	TB 9.5.pro.txt
37	alienate those gay men and women who have loyally served, and will continue so	TB 9.5.pro.txt
51	nt use of resources to identify those who are homosexual and who, in his own wo	TH 9.5.pro.txt
52	tify those who are homosexual and who, in his own words, wish to keep it to the	TH 9.5.pro.txt

the High Court appellants:

4	consider the cases of several people who are currently taking the MOD to the Eur	EC 9.5.pro.txt
5	ntious and hardworking tradesman who could be relied on to achieve the highest	EC 9.5.pro.txt
17	should be the place to which those who suffer injustice and prejudice should co	MB 9.5.pro.txt
18	Euro-sceptic, I cannot blame those who cannot obtain justice from the House for	MB 9.5.pro.txt
40	John Beckett is a young man who had an exemplary record, to which the	CB 9.5.pro.txt
41	as an honest and open young man, who was concerned about the situation and	CB 9.5.pro.txt

investigated and dismissed personnel:

3	,000, and training costs for officers who are dismissed are substantially higher.	EC 9.5.pro.txt
9	IB men making approaches to men who were of service appearance and attempti	EC 9.5.pro.txt
10	In 1995, four RAF officers who had been anonymously informed on wer	EC 9.5.pro.txt
13	ations. They are degrading for those who are the subject of them and, I suspect, p	MC 9.5.pro.txt

MoD survey participants:

33	at no anonymity was given to those who were questioned. Who will come forward	TB 9.5.pro.txt
34	given to those who were questioned. Who will come forward and say that they thi	TB 9.5.pro.txt
35	the armed forces? Even if a person who did so was heterosexual, one could imag	TB 9.5.pro.txt

and SIB investigators:

8	d in a gay pub in Torquay by a man who later invited him home. Upon leaving th	EC 9.5.pro.txt
14	suspect, pretty degrading for those who have to carry them out. That type of inv	MC 9.5.pro.txt
42	it was as humiliating to the person who conducted it as it was to John Beckett,	CB 9.5.pro.txt

In these lines, *WHO* occurs in defining relative clauses. Only the High Court appellants are named in the co-text, although the reports of SIB investigations are specified by time, place and sometimes rank. The personnel are otherwise generalised. In the case of serving lesbian and gay personnel, anonymity was important, even had MPs known who they were. Thus the generalisation was not

a strategy to “influence socially shared beliefs” (van Dijk 2006c: 370). The above examples are supplemented in lines for *WAS* and *HE*, which are more specific.

In total, 70/75 lines for *WAS* (Appendix 43) occur in reports, 26 concern gay forces personnel. These include the High Court appellants’ service records:

2	n Lustig-Prean enlisted in 1983 and was discharged in 1994. The officer's report	EC 9.5.pro.txt
3	of 31 December 1993 stated that he was A most able, conscientious and industri	EC 9.5.pro.txt
4	erbyshire. She enlisted in 1989 and was discharged in 1994. Her discharge repor	EC 9.5.pro.txt
5	lishments", yet that qualified nurse was dismissed.	EC 9.5.pro.txt
6	John Beckett, from the Royal Navy, was a weapons engineer mechanic serving o	EC 9.5.pro.txt
7	e enlisted for 22 years in 1989 and was discharged in September 1993. Sir Mich	EC 9.5.pro.txt
8	nnel, said of him: We accept that he was a loyal and patriotic man and that he ha	EC 9.5.pro.txt
9	oyal Air Force, enlisted in 1980 and was discharged in 1984. His squadron leader	EC 9.5.pro.txt

#### SIB investigations:

15	weeks ago—a former Royal Marine was approached in a gay pub in Torquay by	EC 9.5.pro.txt
16	Former Able Seaman Brett Burnell was investigated after being photographed en	EC 9.5.pro.txt
17	ed entering the pub by the SIB. He was shown the photos and has been dischar	EC 9.5.pro.txt
18	at the evidence from that operation was the justification for discharge.	EC 9.5.pro.txt

and details of John *BECKETT*'s case which account for 12 lines (49-60):

There is a similar pattern in the lines for *HE* (Appendix 43) which refers to:

<i>John Beckett</i> (20 lines)	<i>a hypothetical gay soldier</i> (7 lines)	<i>Michael Portillo</i> (2 lines)
<i>Nicholas Soames</i> (13 lines)	<i>men under SIB investigation</i> (5 lines)	<i>an Israeli soldier</i> (1 line)
<i>John Reid</i> (9 lines)	<i>the late Lord Joseph</i> (3 lines)	<i>Dudley Cave</i> (1 line)
<i>a High Court appellant</i> (8 lines)	<i>John Wilkinson</i> (2 lines)	<i>E. S. Turner</i> (1 line)

In total 40/72 lines concern UK forces personnel. In addition to John *BECKETT*'s case (lines 36-55), these include: the High Court appellants’ service records:

1	y, of 31 December 1993 stated that he was A most able, conscientious and indus	EC 9.5.pro.txt
2	esourceful, versatile and perceptive, he is a most effective manager and organiser	EC 9.5.pro.txt
3	ort ... has great all round potential. He is an outstanding prospect for early prom	EC 9.5.pro.txt
4	hanic serving on HMS Collingwood. He enlisted for 22 years in 1989 and was dis	EC 9.5.pro.txt
5	rsonnel, said of him: We accept that he was a loyal and patriotic man and that he	EC 9.5.pro.txt
6	s a loyal and patriotic man and that he has not committed a civilian or naval disc	EC 9.5.pro.txt
7	n to achieve the highest standards. He has displayed sound personal qualities a	EC 9.5.pro.txt
8	riors, peers and subordinates alike. He was recommended to any future employer	EC 9.5.pro.txt

hypothetical examples of a gay soldier's position:

25	uld be a disciplinary fault for which he would be dismissed from the armed force	KM 9.5.pro.txt
28	rmed service for perhaps 10 years— he may well have been decorated and subject	AR 9.5.pro.txt
29	ry perils—and if by some mischance he has an accident and as a result of conseq	AR 9.5.pro.txt
30	ed to be a homosexual, even though he may have lived 180 miles away from the b	AR 9.5.pro.txt
31	ndecent or offensive behaviour, and he has been a model of discipline, he will los	AR 9.5.pro.txt
32	d he has been a model of discipline, he will lose his job. His livelihood and everyt	AR 9.5.pro.txt
33	and everything else will be lost. All he has done for the nation will be thrown aw	AR 9.5.pro.txt

and reports of SIB investigation tactics:

11	card and tried to arrest the person. He obviously did not know that the chap had	EC 9.5.pro.txt
12	wn cruising area by two men whom he knew were members of the Army special i	EC 9.5.pro.txt
13	Army special investigation branch. He knew that because they had conducted hi	EC 9.5.pro.txt
14	e time previously. During the visits he observed the SIB men making approaches	EC 9.5.pro.txt
15	raphed entering the pub by the SIB. He was shown the photos and has been disch	EC 9.5.pro.txt

These lines for *WHO*, *WAS* and *HE* show the pro-repeal focus was mostly on the situation of gay men in the military. Passive structures pepper the lines:

<i>who might be at risk of</i>	<i>who are the subject of them</i>	<i>was investigated</i>
<i>who have not yet been</i>	<i>who were questioned</i>	<i>he was shown</i>
<i>who suffer injustice</i>	<i>was discharged</i>	<i>he was recommended</i>
<i>who are dismissed</i>	<i>was dismissed</i>	<i>he would be dismissed</i>
<i>who had been informed on</i>	<i>was approached</i>	<i>he may have been decorated</i>

These structures place the personnel at the receiving end of others actions, while the reports offer illustrative details. The High Court appellants' service records are reported authoritatively in 'linear style' (Voloshinov 1986: 120), plus reports of SIB investigations are authentically specific with little 'pictorial infiltration' (*ibid*). Andrew Rowe's hypothetical example is more emotive. However, whether reported or argued, the clarity of detail places the injustice of the *BAN* high on speakers social hierarchy of values (*ibid*: 123).

A further 12 lines for *WHO* refer to people opposing the *BAN*'s repeal:

21	es sense is being proposed by those who are trying to prevent what is inevitably g	GK 9.5.pro.txt
26	elieve, surely the logic is that those who oppose the new clause are prejudiced.	LJ 9.5.pro.txt
29	enness of the arguments from those who oppose the new clause shows that up. T	TB 9.5.pro.txt
30	e new clause shows that up. Those who oppose it are scraping the barrel. They s	TB 9.5.pro.txt
36	to the British people, because those who are prejudiced say that they do not want	TB 9.5.pro.txt
43	st bigotry and prejudice, and those who hold those views. The Select Committee	CB 9.5.pro.txt
50	that have been referred to by those who oppose the amendment?	RM 9.5.pro.txt

and to specific anti-repeal MPs:

15	d the Secretary of State for Defence, who I regret is unable to be here today, will h	MB 9.5.pro.txt
16	inister. Perhaps he will ask himself, "Who made such an excellent job of my dirty	MB 9.5.pro.txt
38	Ruislip-Northwood (Mr. Wilkinson), who was concerned about the threat of black	CB 9.5.pro.txt
39	on. Member for Salisbury (Mr. Key), who was concerned about the threat of victi	CB 9.5.pro.txt
47	on. Member for Ruislip-Northwood—who I believe was himself an officer in Her M	NS 9.5.pro.txt

The references to specific MPs occur in non-defining clauses. Except for Michael Brown's satirical references to Michael Portillo, criticisms are distanced in the context. The non-specific referents occur in defining clauses. This enabled speakers to attribute them with blocking reform, prejudice, barren arguments, scraping the barrel, bigotry, and putting up barriers of difficulty if the *BAN* was repealed. Notably, these criticisms of 'obscured actors' (Baker 2006: 165-6) exclude even indirect reference to the role of the military chiefs.

Criticisms also occur in the lines for *WAS* and *HE*. Those for *WAS* occur in comparisons with the lack of discrimination in WWII:

42	There was no such discrimination in the second wo	HC 9.5.pro.txt
43	orces during that war. One of those was a Mr. Dudley Cave, now aged 75. He was	HC 9.5.pro.txt
44	Mr. Dudley Cave, now aged 75. He was quoted in The Guardian yesterday, and I	HC 9.5.pro.txt
45	f the generals, during the war there was no evidence that homosexual soldiers u	HC 9.5.pro.txt
46	pended on it'. If that discrimination was unacceptable in wartime, it is unaccepta	HC 9.5.pro.txt
65	ve had ideas or suspicions, but that was as far as it went. It was what they did th	NS 9.5.pro.txt
66	ns, but that was as far as it went. It was what they did that counted, and I knew	NS 9.5.pro.txt
67	s under a misapprehension. When I was commissioned, we were given a number	NS 9.5.pro.txt
68	f his late Majesty George VI, so this was some time ago. We were lectured about	NS 9.5.pro.txt
69	That code was fairly clear. Surely, in the end, it is code	NS 9.5.pro.txt
73	hole of the second world war. There was no discrimination then. I was in no few	EL 9.5.pro.txt
74	There was no discrimination then. I was in no fewer than seven troop ships carry	EL 9.5.pro.txt

plus the inadequacy of the MoD evidence and Select Committee decision:

19	The issue was considered by the Select Committee on t	MC 9.5.pro.txt
21	rrent policy. That recommendation was based primarily on the report that was c	MB 9.5.pro.txt
22	s based primarily on the report that was commissioned by the MOD last year and	MB 9.5.pro.txt
33	ent are bound by it. I only wish that was so in the case of the Select Committee o	GK 9.5.pro.txt
40	I understand that no anonymity was given to those who were questioned. Wh	TB 9.5.pro.txt
41	forces? Even if a person who did so was heterosexual, one could imagine what w	TB 9.5.pro.txt
63	I was rather shocked by the Select Committee'	NS 9.5.pro.txt
64	that evidence, the Select Committee was particularly convincing.	NS 9.5.pro.txt

The comparisons with WWII displace attributions of discrimination by focusing on ‘then’ rather than ‘now’, while criticisms of the Select Committee and MoD are muted or personalised. Criticisms in the lines for *HE* refer to Nicholas Soames:

10	n the amount of wise-cracking that	he has been indulging in this evening, perha	EC 9.5.pro.txt
16	e fairness and courtesy with which	he has received my representations on behalf	MB 9.5.pro.txt
17	e past year. However, I believe that	he will invite the House to reject the new cla	MB 9.5.pro.txt
22	een promoted to Secretary of State,	he will be required to stand at the Dispatch	MB 9.5.pro.txt
23	the special investigations branch. If	he cannot do so tonight, I believe that one da	MB 9.5.pro.txt
24	ute to him for the manner in which	he has always received the delegations that I	MB 9.5.pro.txt
57	on agents provocateurs. I hope that	he will make it clear that the Government ac	NS 9.5.pro.txt
58		He is not even listening.	TB 9.5.pro.txt
59	I hope that	he will listen. I hope that administrative actio	NS 9.5.pro.txt
60	pe that the Minister will tell us why	he cannot accept new subsection (1)—if not	NS 9.5.pro.txt
61	ow, at a later stage—rewording it as	he wishes, but concentrating on responsible	NS 9.5.pro.txt
62	hen the Minister replies, I hope that	he will touch on the report of the homosexua	GP 9.5.pro.txt
72	xuals within the armed forces now?	He must know that to be a fact. How is that	TB 9.5.pro.txt

John Reid:

63	nd in his difficult job with his brief.	He must be aware of the inherent and enorm	GG 9.5.pro.txt
64	ormous contradiction between what	he is saying and the obvious fact that it is po	GG 9.5.pro.txt
65	riend another contradiction in case	he is not aware of it. I shall put to him a fant	GG 9.5.pro.txt
66	ulging in disgraceful weasel words.	He has tried to stand on both sides of the fen	AB 9.5.pro.txt
67	sides of the fence at the same time.	He represents the Opposition Front-Bench te	AB 9.5.pro.txt
68	an's position, the more so because	he aspires to occupy the Treasury Bench, bu	MB 9.5.pro.txt
69	iend tonight and disagree with what	he says, I respect the way in which he is putt	GH 9.5.pro.txt
70	he says, I respect the way in which	he is putting his argument. On returning to t	GH 9.5.pro.txt
71	turning to the issue in future, does	he agree that, if the new clause is defeated to	GH 9.5.pro.txt

and John Wilkinson:

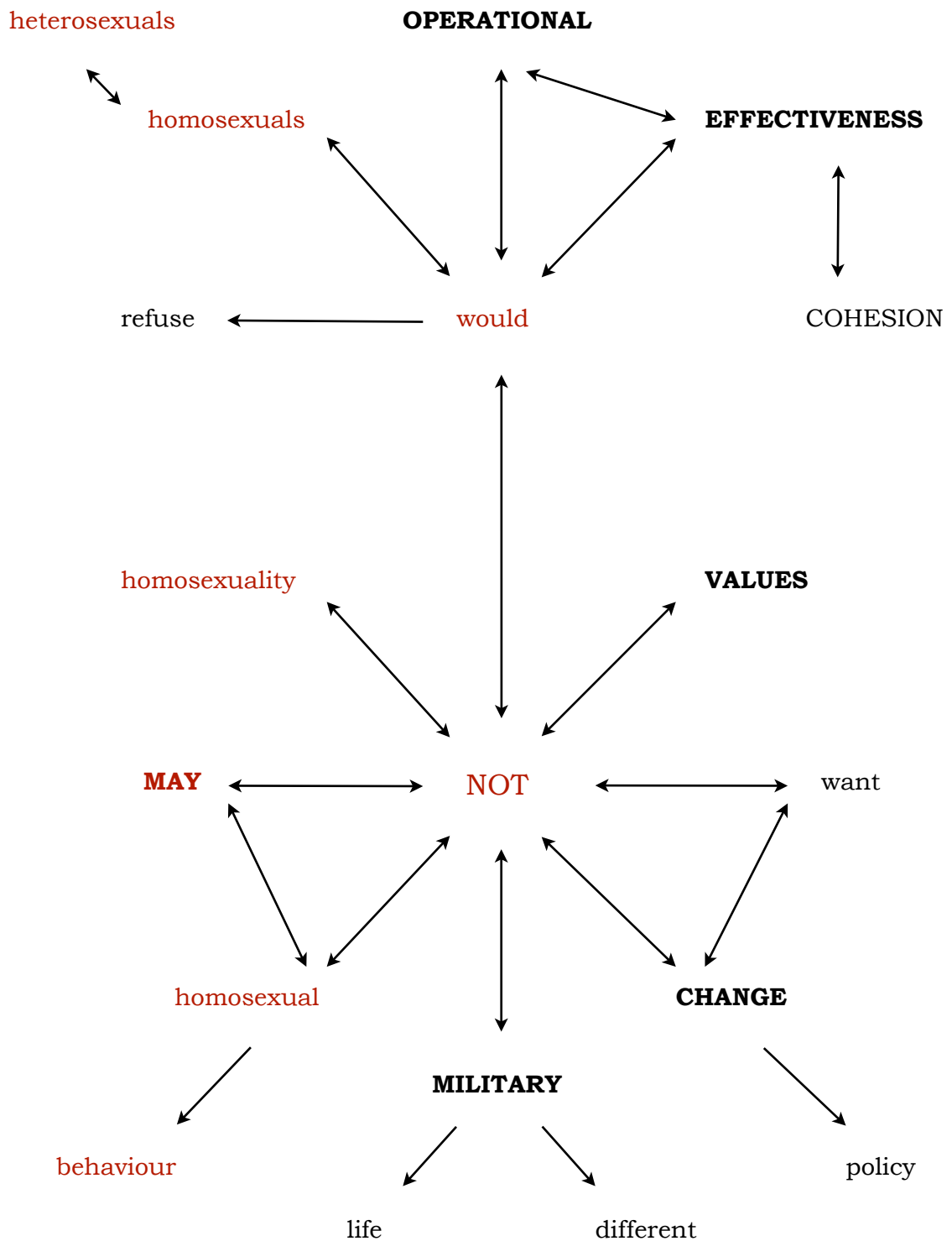
26	espect for him, but the speech that	he made just now is the kind of speech, on s	GK 9.5.pro.txt
34	n showed no compassion. In effect,	he said that it was too late. We have been tol	TB 9.5.pro.txt

These criticisms are more direct, notably of John Reid. MPs knew he was arguing against his convictions to protect Blair’s electability. This also accounts for the absence of many Labour MPs when the Government was nearly without majority.

\* \* \*

On Flowchart 6, the top-ten anti-repeal keywords (Appendix 39) have very few collocates (Appendix 41). The upper part of the chart relates to the claimed effects of the ban’s repeal, the lower part to justifying the ban.

Flowchart 6: Anti-repeal Keyword and Collocate Network



key: **BOLD CAPITALS**: keywords in the top ten  
**BLACK CAPITALS**: keywords  
**RED CAPITALS**: sexuality-term keywords and keywords collocating with sexuality terms  
 black lower case: keyword collocates  
 red lower case: sexuality terms and sexuality-term collocates



The top anti-repeal keyword, *EFFECTIVENESS*, collocates reciprocally with *OPERATIONAL*. The co-text preceding *OPERATIONAL* (Appendix 44) reveals loss of *OPERATIONAL EFFECTIVENESS* was the main reason given for retaining the ban:

<i>threat to discipline</i>	<i>if they are diminished</i>	<i>reduction in</i>	<i>a detrimental effect on</i>
<i>undermining</i>	<i>destroy</i>	<i>maintenance of</i>	<i>professional judgments about</i>
<i>securing maximum</i>	<i>would weaken</i>	<i>anticipated loss of</i>	<i>sets aside</i>
<i>tend to weaken</i>	<i>preserve</i>	<i>be maintained at</i>	<i>to maintain the</i>
<i>the question of</i>	<i>concerns about</i>	<i>would also affect</i>	

No evidence was offered to support this view, nor was it straightforwardly that of the speakers. For example, Robert Key's report of the Select Committee's visit to see multinational troops in Bosnia distances him from the belief:

In none of those forces did the nationals concerned believe that there was any threat to discipline, to undermining of command relationships or operational effectiveness on the battlefield because of the presence of homosexuals. There was no suggestion in the British forces that in NATO British troops would not accept orders from those who might be homosexuals in other forces, or would refuse to serve alongside them.  
I have much sympathy for the terms of the new clause. (c.493)

Similarly, John Reid's concession modifies his stance:

However, it is honourable and legitimate to say that the weight of the civil liberties argument is sufficiently great to overcome both the operational reduction in effectiveness and the case for privacy for heterosexuals. There is nothing dishonourable in making that balance and in arriving at a judgment that is different from mine, but the Labour Members of the Select Committee were not persuaded that that change was necessary.  
I say again, however, that the decision was on balance. (c.503-4)

In addition, the co-text preceding Nicholas Soames' lines shows the feared loss of *OPERATIONAL EFFECTIVENESS* was attributed, directly or indirectly, to others:

<i>the prime concern of the armed forces</i> (line 10)	<i>the assessment team's detailed report</i> (line 13)
<i>the problem of anticipated loss of</i> (line 11)	<i>the majority of service men and women</i> (line 14)
<i>the assessment team concluded that</i> (line 12)	<i>If collective professional judgments about</i> (line 15)

The extent to which he saw the armed forces' view as more authoritative, or was distancing himself from the claim is unclear, though his first line does subtly differentiate Government policy from the feared loss:

The current policy of excluding homosexuals from the armed forces is not—I repeat, not—the result of a moral judgment. The prime concern of the armed forces is the maintenance of operational effectiveness and our policy derives from a practical assessment of the implications of homosexual orientation on military life. (c.505)

The same feared loss is evident in the co-text of *COHESION* (Appendix 44A):

<i>diminished</i>	<i>which damage</i>	<i>would affect the</i>	<i>and disrupt unit</i>
<i>undermine that</i>	<i>anticipated loss of</i>	<i>adverse effect on morale</i>	<i>put at risk the</i>

However, distancing is evident only in Nicholas Soames' use of *apparent*:

These are not simple, since they summon up an apparent conflict between individual rights and wishes—which none of us lightly sets aside—and the moral cohesion, effectiveness and fighting power of the armed forces. (c.509)

His use of *moral* here could be a typo for *morale* (as in line 6).

The lower half of Flowchart 6 follows a similar pattern. In the lines for *MILITARY* (Appendix 44) not wanting 'homosexuals' is attributed to:

<i>serving personnel</i> (line 1)	<i>the need for morale</i> (lines 10-12)
<i>military constituents and their families</i> (line 2)	<i>practical problems</i> (line 14)
<i>the military ethos</i> (line 3)	<i>practical assessment of the implications</i> (line 15)
<i>the chain of command</i> (line 4)	<i>the MoD review</i> (line 18)
<i>the MoD</i> (line 5)	<i>MoD policy</i> (line 19)
<i>military imperatives</i> (line 6)	<i>the wishes of the military</i> (line 20-21)
<i>conditions of military life</i> (lines 7-9, 13, 16-17)	<i>service men and women</i> (line 22)

Robert Key's report is clearly critical:

As a former military chaplain told the Church Times recently, those who have been offended by the practice of "outing" prominent people should remember that the Ministry of Defence has been doing it to its personnel for years. That is not something of which anyone can be proud. (c.494)

John Reid's concession clearly distances:

I do not underestimate the weight of the arguments that have been advanced tonight because no liberty held to be precious in civilian society can be negated in the military as a matter of course or without justification. Prejudice is no ground on its own for the continuation of past practice, but nor can practical problems be wished away. (c.502)

The exact nature of the practical problems is debatable.

The attributions of agency in the lines for *CHANGE* (Appendix 44) vary as to whether the agents want it or not and whether it has past or future reference:

NO CHANGE	POSSIBLE CHANGE	PAST CHANGE	WANTING CHANGE
<i>members of the armed forces</i> (lines 1-2 JW) <i>the Select Committee</i> (lines 8 JR/ 15 NS) <i>the MoD review team</i> (lines 13-14 NS)	<i>the courts</i> (line 3 RK) <i>equalisation supporters</i> (line 4 RK) no agent (lines 5-6 RK) <i>the Government</i> (line 7 JR) <i>the next Parliament</i> (line 9 JR)	<i>the Government</i> (lines 10-11 NS)	<i>the amendment's proposers</i> (line 12 NS) <i>those who gave evidence to the Select Committee</i> (line 16 NS) <i>those who steamroller aside the wishes of the military</i> (line 17 NS)

The attributions to agents not wanting *CHANGE* are straightforward, but those to agents of possible *CHANGE* were referred to only by Robert Key and John Reid, which concurs with their doubts about the ban. In Robert Key's references to *CHANGE* within the *MILITARY*, the agent of *CHANGE* is obscured:

Change will come slowly when it comes. It will need a massive change of culture, and a massive re-education programme in the armed forces. (c.493)

and is only tenuously attributed to Labour by John Reid:

We have not argued that the position will never change. It will obviously be reviewed again during the next Parliament. (c.504)

while Nicholas Soames became more assertive towards the end of his speech:

The team recommended that there should be no change in current policy. My Department has accepted that recommendation and, as I said earlier, the Select Committee, after much careful deliberation, agreed that there should be no change in the policy. (c.508)

and resorted to diminishing those seeking change:

In the face of all the evidence presented by my Department, of substantial submissions both oral and written from those who wished to change the policy, and also of the evidence that it gathered privately, the Select Committee concluded that the policy should continue. [...]

The not so hidden agenda of those who want to change Ministry of Defence policy is to steamroller aside the judgments, experience and wishes of the military. (c.509)

'Steamrolling aside' better fits Nicholas Soames' dismissal of all those who gave

evidence to the Select Committee on behalf of lesbians and gay men, plus the views of the High Court judges and supporters of *CHANGE* in Parliament. It thus constitutes a case of reversal (Wodak 2003: 134).

The *MILITARY* view is more directly represented in John Wilkinson's lines for *VALUES* (Appendix 44) which link to the *MILITARY* not wanting homosexuals:

<i>appropriate values</i>	<i>family values</i>	<i>particular standards and values</i>
<i>those values</i>	<i>traditions, values, history</i>	<i>a pattern of values</i>

*VALUES* here reads as a euphemism for, and disclamation of, homophobia:

We recommended also that homosexual behaviour was not compatible with remaining in the armed forces, because members of them did not want any change. After all, they are the best judges of the appropriate values for the organisations in which they serve. Those values may not seem to us identical to those that we normally share, but the profession of arms is a calling distinct from civilian life. Although those values may appear a bit traditional, for those who serve in the armed forces they are greatly appreciated. (c.489)

This suggests he was keen to present the *MILITARY* view in an 'acceptable' way and is supported by his uses of *MAY* which lend caution to his presentation.

The keyword is *MAY* brings indefiniteness to the anti-repeal statements. Indefiniteness is also evident in the five uses of *SOMETIMES* and in other modal verbs (*would, might, could*) preceding *NOT* (Appendix 44B), which is pivotal in the lower half of Flowchart 6. In addition, *MAY* is followed by a stative verb or verb with stative function in 17/24 lines:

<i>be</i> (8 lines)	<i>seem</i> (2 lines)	<i>feel</i> (1 line)	<i>offend</i> (1 line)
<i>like</i> (2 lines)	<i>appear</i> (1 line)	<i>have</i> (1 line)	<i>recall</i> (1 line)

as is *NOT* in 24/91 lines:

<i>be</i> (7 lines)	<i>believe</i> (2 lines)	<i>have</i> (1 line)	<i>think</i> (1 line)
<i>want</i> (4 lines)	<i>agree</i> (1 line)	<i>pretend</i> (1 line)	<i>tolerate</i> (1 trust)
<i>like</i> (3 lines)	<i>consider</i> (1 line)	<i>seem</i> (1 line)	<i>trust</i> (1 line)

These verbs bring an element of subjectivity to the lines for *MAY* and *NOT*. While there is no consistency among the agents or objects of the verbs, the combination

of indefiniteness and subjectivity compounds the lack of evidence for the feared loss of *OPERATIONAL EFFECTIVENESS*.

Although the keyword *PRIVACY* (Appendix 39) has no collocate links to Flowchart 6, it requires explanation. In their evidence to the Select Committee, Stonewall argued for a right of privacy on behalf of lesbian and gay personnel. This was extended to heterosexual privacy by John Reid and Nicholas Soames in opposing repeal. John Reid presented privacy as a *right* in 5/8 lines (Appendix 44) and as *the case for* in another. The other two lines quote a woman soldier:

Dr Reid, even in the imposed social intimacy of the Army, you and your colleagues at Westminster would defend my right to refuse to share the most intimate experiences of sleeping, sharing and bathing with a man. You would do that not because you assume evil intention on the part of the man, but because it offends my sensibilities as a woman, because it may offend my sense of privacy or decency or because I may feel that I am the object of inquisitive sexual observation by the man, but all the reasons why you would give me that right would be on my perceptions, not on the intentions of the man. If you change this rule, will you give me the right to protect my privacy if I refuse to shower with one of my lesbian colleagues? (c.503)

The quote positions lesbians as potentially threatening, but John Reid used it to support retention of the ban; he added “I did not have a satisfactory answer for her then and, frankly, I do not now” (c.503). As a response presumably given when the Committee went to interview forces personnel, the quote is not in its report, but John Reid put the scenario to Stonewall in Committee. Following Angela Mason’s point that “the problem is not the conduct or behaviour in any way of the lesbian or gay man, [but] the apprehension of the heterosexual person who may be showering with them” (HC 7.7.1996: 102), he asked Edmund Hall if he accepted the right of a woman not to shower with a man; the answer was a qualified yes (*ibid*). John Reid continued:

That is based on the perception of the woman, of her sense of decency, of her belief in privacy, perhaps on the fact that she thinks she would be regarded with sexual curiosity by the man, or perhaps there would be a threat; it is all on her, not on the intention of the man, or accusations of promiscuity against the man, but on her. Do you accept the right of a woman to refuse to shower with a lesbian? (*ibid*)

This proposition ignores both gender and sexuality social-power differentials, as Angela Mason pointed out (*ibid*). Given John Reid's past support for repealing the ban, this line of questioning suggests either his retention of commonly held assumptions about gender and sexuality, or the need for a 'credible' basis from which to argue for retention of the ban. Nicholas Soames took up the issue of *PRIVACY* and presented it as a direct obstacle to repeal. All his lines occur in reports: of John Reid, the Government's position, or the MoD review.

Final points relate to Nicholas Soames' lines for *NOT*, 14/28 of which occur in reports, mostly of the Government's position. Overall, they exert his own and Government authority:

The not so hidden agenda of those who want to change Ministry of Defence policy is to steamroller aside the judgments, experience and wishes of the military. Although we have no desire to discriminate against homosexuals, or indeed against any other minority, the Government will not capitulate to such doctrinaire attitudes. What is special about the military is the fact that we expect them to exhibit commitment and self sacrifice beyond that of any other professional group and, if need be, to sacrifice their lives. They put their trust in the Government and it would be immoral, as well as operationally highly detrimental, to overrule or ignore them. Let me make it clear—this is not about homophobia in the armed forces. (c.509)

The lines place the ban's retention firmly with the wishes of the *MILITARY*, who were not to be overruled or ignored. Given the reasoned and well-supported arguments of pro-repeal MPs in the debate, and of Stonewall and Rank Outsiders in Committee, the *doctrinaire attitudes* better fitted the *MILITARY* hierarchy to which the Government had capitulated and thus constitute a case of transfer (van Dijk 2008a: 110). Similarly, his denial that the Government desired to *discriminate* and his claim that the issue was *NOT about homophobia* suggest that being seen as homophobic was becoming less acceptable. Significantly, the *homophobia* was unattributed. His references to *self sacrifice*, *trust*, *immoral* and *operationally detrimental* constitute emotive appeals and therefore expose the weakness of arguments for retaining the ban. Similar appeals followed:

I know no member of the House will vote on the new clause without having carefully weighed up the issues. These are not simple, since they summon up an apparent conflict between individual rights and wishes—which none of us lightly sets aside—and the moral cohesion, effectiveness and fighting power of the armed forces (c.509)

The services of this country are very special, and they are a unique and extraordinary asset to our nation. They serve us faithfully and well and they are—by and large—men and women of quality not found in any other institution in the land. (c.509)

My overriding duty must be to maintain the effectiveness of our armed forces. In my view, the armed forces have earned the right to be allowed to get on with the job they do so well and not be bludgeoned out of the standards, traditions and esprit de corps that has won Great Britain every war in which we have engaged since 1812. (c.509-510).

His use of *standards* and *traditions* echo John Wilkinson's use of *VALUES*, while *bludgeoned* refers back to the *doctrinaire attitudes*. On the note of winning every war since 1812, despite Harry Cohen's and Eddie Loyden's points about WWII, he urged rejection of the amendment. These statements illustrate the importance the Government placed on getting the decision the *MILITARY* wanted.

### Views of Sexuality

The frequencies of terms related to sexuality were low in this debate:

Nouns for People	Adjectives and Adverbs	Abstract nouns
<i>homosexuals</i>	<i>homosexual</i>	<i>homosexuality</i>
<i>homosexual</i>	<i>heterosexual</i>	<i>heterosexuality</i>
<i>heterosexuals</i>	<i>sexual</i> (excluding orientation)	<i>sexual orientation</i>
<i>heterosexual</i>	<i>sexually</i>	<i>orientation</i>
<i>straights</i>	<i>gay</i>	<i>homosexual orientation</i>
<i>gays</i>	<i>lesbian</i>	<i>sexuality</i>
<i>lesbians</i>	<i>homophobic</i>	<i>sex</i> (in reference to gender)
		<i>sex</i> (in reference to sexual acts)
		<i>homophobia</i>

Pro-repeal speakers used 19/23 terms of which *GAY* and *GAYS* are keywords.

Anti-repeal speakers used 15/23 terms of which the clinical terms (*homosexuals*, *homosexual*, *homosexuality*) are salient. The terms are investigated mainly via

their concordance lines (Appendices 46 & 48) as the few collocates (Appendices 45 & 47) contribute little.

\*   \*   \*

*Homosexuals* was the most used term in the debate, proportionately more so by anti-repeal speakers:

NOUNS FOR PEOPLE	Total Uses	Pro-repeal Uses	Pro-repeal % Debate Words	Anti-repeal Uses	Anti-repeal % Debate Words
homosexuals	38	15/38 (39.5% total) 4/15 (26.7% uses)	57.1%	23/38 (60.5% total) 10/23 (43.5% uses)	42.9%
homosexual	6	3/6 (50% total) 3/3 (100% uses)	57.1%	3/6 (50% total) 2/3 (66.7% uses)	42.9%
heterosexuals	9	4/9 (44.4% total) 2/4 (50% uses)	57.1%	5/9 (55.6% total)	42.9%
heterosexual	1		57.1%	1/1 (100% total)	42.9%
straights	1	1/1 (100% total) 1/1 (100% uses)	57.1%		42.9%
gays	7	7/7 (100% total) 4/7 (57.1 uses)	57.1%		42.9%
lesbians	6	5/6 (83.3% total) 1/5 (20% uses)	57.1%	1/6 (16.7% total)	42.9%

Key:    grey text shows the number and % of uses occurring in reports  
           red text: shows the proportionately higher frequency of use  
           **bold red text**: keywords

Of the anti-repeal lines for *homosexuals* and *homosexual* as a singular noun (Appendix 46), those that report or argue the military view predictably include negative phrases:

<i>do not want</i>	<i>horrified at the thought of</i>	<i>the policy of excluding</i>
<i>have no place in</i>	<i>exclusion of</i>	<i>would have a detrimental effect on</i>

However the negativity was mitigated in the co-text by Robert Key and John Reid:

<i>they accepted</i>	<i>no suggestion in</i>	<i>makes that judgment ... anguished</i>
<i>genuine acceptance</i>	<i>accept orders from</i>	<i>not relate to prejudiced allegations</i>
<i>In none of those forces</i>	<i>but the blanket nature of the ban</i>	<i>no easy or painless answer</i>

Robert Key also criticised the forces' double standard:

Whatever the courts may say, it is unacceptable and uncivilised for the forces of the Crown to recognise on the one hand that homosexuality in the armed forces is not a criminal offence, and then to make use of agents provocateurs or covert surveillance to expose **homosexuals**. The Select Committee was told that the Ministry of Defence has never discharged **homosexuals** for criminal offences; just being a homosexual is enough. (c.494)



and John Reid defended the commitment of *homosexuals* in the military:

The first was that it was no part of our task to make moral judgments on sexual orientation; nor are there grounds for questioning the professionalism, dedication, courage or patriotism of *homosexuals*, individually or as a group. (c.501)

while Nicholas Soames adhered to the military view:

It would be quite wrong to ignore the strongly held views of the majority of service men and women that the admission of *homosexuals* would have a detrimental effect on operational effectiveness, and I shall not do so. (c.509)

A feature of the lines spoken by John Reid and Nicholas Soames is the pairing of *homosexuals* with *heterosexuals*. All five uses of *heterosexuals*, plus *heterosexual* as a singular noun, are linked to *homosexual(s)*. This stems from their extension of privacy to *heterosexuals* as a means of defending the ban, which polarised homosexual and heterosexual rights. Stonewall's request for privacy was based on Article 8 of the ECvHR and the right of lesbians and gay men not to be investigated, interrogated and discharged because of their personal relationships. Stonewall's request is of a very different order from the 'heterosexual privacy' based on an aversion to showering or sharing accommodation with *homosexuals*. In adopting this line of argument John Reid and Nicholas Soames not only defended a heterosexual separatism based on homophobia, but also appealed to such sentiments in other MPs.

\* \* \*

The pro-repeal nouns for people occur in varied contexts, although 7/15 lines for *homosexuals* (Appendix 48) refer to serving personnel past or present, as Gerald Kaufman chided:

The hon. Gentleman said that homosexuality is not compatible with membership of Her Majesty's forces. That is very strange to me, because I have a slight suspicion that there are large numbers of *homosexuals* in our armed forces today. I have a further suspicion that there have been *homosexuals* throughout history in our own armed forces and those of other great powers, and, somehow or other, we have managed to win wars all the same. (c.491)

In three lines *homosexuals* is paired with *lesbians* (see below), and in two lines with *heterosexuals*. The latter pairs occur in references to the proposed code of conduct and applied to sexual behaviour in both categories. Of the two remaining lines for *heterosexuals*: one is paired with *lesbians and gay men* in highlighting the equal application of the proposed code of conduct; the other occurs in Tony Banks' reference to Gerald Kaufman's report of three heterosexual soldiers who brutally murdered a woman in Cyprus:

My right hon. Friend the Member for Gorton gave us the example of the three sub-human *heterosexuals* in Cyprus. Is it so wonderful to be heterosexual in those circumstances? They are the sort of people who bring shame to our armed forces, not those homosexual men who loyally serve their country and are ready to die for it, yet are still treated abysmally by the House and the Government. (c.496)

As the only independent use of the term it challenges the heterosexual ideal, but its pairing with non-heterosexual terms in other lines, albeit in contexts which attribute equality, denies it further independent scrutiny.

The pro-repeal keyword GAYS was not used by anti-repeal speakers. Like *homosexuals*, it also occurs in varied contexts. It is paired with *straights* in Harry Cohen's report of Dudley Cave's WWII experience:

Cave recalls that neither the top brass nor fellow soldiers showed any concern about gay enlistees. 'There were none of the witch hunts that we have nowadays ... Homosexual soldiers were more or less accepted. The visible *gays* were mostly drag performers in concert teams. Regarded with considerable affection, their camp humour helped lift the men's spirits'. [...] 'All the *gays* and *straights* worked together as a team. We had to because our lives might have depended on it'. (c.497)

and with *lesbians* by Edwina Currie:

Other countries regard this type of ban as completely unnecessary and find it perfectly feasible to employ *gays* and *lesbians*. (c.483)

The more frequent and less paired uses of GAYS and *homosexuals* is significant when compared with the five uses of *lesbians* all of which are paired. The ban applied equally to *lesbians* and GAYS, but speakers' focus was on GAY/

*homosexual* men. The pairings of *men* and *women* (Appendix 48A) make an interesting contrast:

PRO-REPEAL TERMS	FREQUENCY	GENDERED PAIRS	INDEPENDENT USE
<i>homosexuals</i>	15 uses	3 paired	12
GAYS	7 uses	1 paired	6
GAY men	4 uses	2 paired	2
<i>homosexual men</i>	2 uses    total 28	1 paired    total 7 = 25%	1    total 21 = 75%
<i>lesbians</i>	5 uses	5 paired = 100%	
<i>men</i>	24 uses	13 paired = 54.2%	11 = 45.8%
<i>women</i>	19 uses	13 paired = 68.4%	6 = 31.6%

The frequencies and mid-range pairings of *men* and *women* are similar, but those of *lesbians* and the male-aligned terms are unbalanced. The imbalance is even greater between the anti-repeal pairings of *men* and *women* (Appendix 46A) and those of *lesbians* and the male aligned terms:

ANTI-REPEAL TERMS	FREQUENCY	GENDERED PAIRS	INDEPENDENT USE
<i>homosexuals</i>	23 uses	1 paired	22 uses
<i>homosexual men</i>	1 use    total 24	1 paired    total 2 = 8.3%	total 22 = 91.7%
<i>lesbians</i>	1 use	1 paired = 100%	
<i>men</i>	12 uses	10 paired = 83.3%	2 uses = 16.7%
<i>women</i>	12 uses	10 paired = 83.3%	2 uses = 16.7%

The armed forces offer a context in which qualities associated with ‘masculinity’ are expected and enforced, and in which its boundaries are rigorously policed. That since the eighteenth century masculinity has been defined largely through the exclusion of what became termed homosexuality (Weeks 2011: 112), makes the focus on non-heterosexual men predictable. It also illustrates the extent to which homophobic anxieties pertained to men and the protection of male gender boundaries which subordinate gay men to straight men (Connell 2005: 78-9).

\*       \*       \*

*Homosexual* was the most used adjective, proportionately more so by anti-repeal speakers, notably John Wilkinson and Nicholas Soames who spoke 11/12 lines (Appendix 46).

ADJECTIVES AND ADVERBS	Total Uses	Pro-repeal Uses	Pro-repeal % Debate Words	Anti-repeal Uses	Anti-repeal % Debate Words
homosexual	26	14/26 (53.8% total) 7/14 (50% uses)	57.1%	12/26 (46.2% total) 8/12 (66.7% uses)	42.9%
heterosexual	10	8/10 (80% total) 4/8 (50% uses)	57.1%	2/10 (20% total) 1/2 (50% uses)	42.9%
sexual (excluding orientation)	23	12/21 (57.1% total) 5/12 (41.7 uses)	57.1%	9/21 (42.9% total) 3/12 (25% uses)	42.9%
sexually	1	1/1 (100% total) 1/1 (100% uses)	57.1%		42.9%
gay	13	13/13 (100% total) 10/13 (76.9% uses)	57.1%		42.9%
lesbian	2	1/2 (50% total) 1/1 (100% uses)	57.1%	1/2 (50% total) 1/1 (100% uses)	42.9%
homophobic	1	1/1 (100% total)	57.1%		42.9%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use  
**bold red text:** keywords  
green text: proportionate use

Reports account for 8/12 anti-repeal lines and relate primarily to the Select Committee's recommendation and the Government's acceptance of it. Robert Key's report of evidence given to the Committee is the exception:

The Standing Committee was told of harrowing events, such as the **homosexual** sailor who set off on a tour of duty of some months and realised after a few weeks that he had a genital problem. He realised that the ship's medical officer would be bound to take action leading to his discharge from the service. The sailor waited for four months before going to his family general practitioner at home. That is unacceptable and dangerous. (c.494)

Most lines occur in contexts that straightforwardly support the ban, thus the co-text includes negative phrases linked to *homosexual* behaviour or identity:

<i>was not compatible with</i>	<i>can do without</i>	<i>allegations of</i>
<i>did not want any change</i>	<i>do not include condoning</i>	<i>strong suspicion of</i>
<i>is a complication that</i>	<i>not solve the problem</i>	<i>an adverse effect on</i>

The nouns to which *homosexual* applies divide between sexual acts (*behaviour, conduct, dimension, acts, activity*) and sexual identity (*sailor, personnel, men and women, movement*). John Wilkinson emphasised:

Suffice it to say that differences of responsibility of rank accentuate the potential mutuality of attraction or the influence that one person may have over another. A **homosexual** dimension is a complication that the armed services can do without.

[...]

We are selective and have particular standards and values, which do not include condoning **homosexual** behaviour. (c.490)

while Nicholas Soames conceded:

There may well be some **homosexual** personnel in the armed forces but they choose to keep that to themselves. That is a matter for them. [Interruption.] I will deal with that later. (c.506)

but went on to assert:

Both the evidence contained in the assessment team's detailed and thorough report, and that given in open session to the Select Committee, show that the presence of openly **homosexual** men and women in the armed forces would have an adverse effect on morale and unit cohesion. (c.508)

While Nicholas Soames acknowledged sexual identity, John Wilkinson did not.

The anti-repeal lines for *sexual* (Appendix 46) typify four concerns. John Wilkinson's lines concern *sexual conduct* in his dismissal of the amendment, but while in the amendment *conduct* applied to all sexualities, his concern, via *that form*, was same-sex *sexual conduct*; he offered no justification for the distinction:

Again, that is true where there is favouritism—particularly of a **sexual** kind. That form of bonding can impair the necessary discipline and mutuality of respect inherent in the command relationship. (c.490)

John Reid's lines concern privacy:

Secondly, would it be possible in the imposed social intimacy of the armed forces to guarantee the right to privacy of the **sexual** preference of homosexuals and the right to privacy of heterosexuals? (c.501)

and *sexual* relationships:

Relationships which damage cohesion, such as those of a romantic or **sexual** nature, are particularly damaging. In situations in which such special relationships are most likely to develop in the armed forces, personnel are separated by gender. Therefore, as a matter of course in the armed forces, in the most intimate situations that are likely to lead to special relationships, a heterosexual is separated from the potential object of his or her **sexual** preference. Precisely the opposite circumstances would obtain for homosexuals, as they would be integrated in units with members of their own sex. That is the key problem, and it does not relate to prejudiced allegations of increased potential for promiscuity among homosexuals. (c.502)

While he does not specify same-sex relationships as more damaging, he locates need for the ban in the conditions of forces' life. In so doing he implies *sexual* activity is likely under such conditions which undermines his warning against *prejudiced allegations*. He also ignores the situation of personnel whose same-sex relationships were with civilians. The final concern is Nicholas Soames' reference to suspicions of (homo)*sexual identity* disrupting unit cohesion:

While a new code of conduct might appear to be symmetrical in its effect on heterosexuals and homosexuals, it would not solve the problem of anticipated loss of cohesion or operational effectiveness caused by the knowledge or strong suspicion of the *sexual* identity of homosexual personnel. (c.507)

As he had acknowledged homosexuals were then serving without suspicion and, as Hall (1995) shows, investigations disrupted working relations as well as individual careers, his argument had no factual basis.

\*   \*   \*

The pro-repeal lines for *homosexual* as an adjective (Appendix 48), like those for *homosexuals* and *GAYS*, occur in varied contexts. These include the proposed code of conduct, social change, recruitment, famous soldiers, serving personnel, WWII soldiers, the ban's incongruities and the cost of investigations. Of note is the reciprocal collocation of *homosexual* with both *heterosexual* and *sexual* (Appendix 47). If the terms are considered jointly, the code of conduct emerges as a recurrent theme:

Part of the new clause spells out a proposed new code of conduct. It would apply to all inappropriate *sexual* behaviour, whether *heterosexual* or *homosexual*. It would protect women as well as men. It would protect young people, and it would protect those in junior ranks who might be at risk of *sexual* harassment.  
(Edwina Currie c.482)

Among the NATO countries that have no ban are [...] The Australians have a strict code on *sexual* behaviour, which is what I am proposing, but it has no ban.  
(Edwina Currie c.483)

**Sexual** conduct of any kind that prejudices good order and discipline is unacceptable and is an offence, as is **sexual** conduct of any kind which undermines the command relationship and the use of rank or position to obtain **sexual** favours. Those principles stand robustly behind the principle of non-discrimination at the centre of the new clause. (Menzies Campbell c.486)

Has the hon. Gentleman never heard of a man in a senior position using his seniority to make unwanted **sexual** advances to a woman of junior rank, in civilian or Army life? The logic of the hon. Gentleman's argument is that there should be no women in the armed forces either. (Maria Fyfe c.490)

We were lectured about codes of conduct for officers—I should like to think that those codes now extend to all ranks, but that is by the way—and particularly about **heterosexual** behaviour with people in the area or with other officers' wives. (Nigel Spearing c.499)

I hope that the Minister will tell me what is wrong with the proposal for a code of conduct of the sort specified in new subsection (1). The subsection states that **sexual** conduct, whether **heterosexual** or **homosexual**— which really means sexual conduct of any description— shall not constitute an offence except in certain circumstances. It would even be possible to remove the words "**heterosexual**" and "**homosexual**" from the legislation. (Nigel Spearing c.499)

*Homosexual* collocates reciprocally with both *heterosexual* and *sexual*, and the three are more widely linked in the co-text, but *heterosexual* and *sexual* do not collocate. This leaves *homosexual* more closely associated with *sexual conduct*. However, the greater pro-repeal use of *heterosexual*, including five independent uses, illustrates speakers more balanced focus on the two sexual categories.

The pro-repeal keyword GAY, like GAYS, was not used by anti-repeal speakers—in Bakhtin's (1981: 293-4) terms they were unappropriated, or too full of other people's contexts. The nouns to which GAY applies in the pro-repeal lines (Appendix 48) premise its use on sexual identity:

<i>men</i> (2 lines)	<i>enlistees</i> (1 line)	<i>gay or lesbian people</i> (1 line)	<i>service members</i> (1 line)
<i>people</i> (2 lines)	<i>Hussar</i> (1 line)	<i>men and women</i> (1 line)	

Both GAY and GAYS apply to sexual identity, neither are associated with sexual conduct. As in the lines for GAYS, over half the lines for GAY were spoken by

Edwina Currie and in varied contexts. Ten lines occur in reports, of which her reports of SIB investigations offer most thematic consistency:

What bothers me is the continued harassment and hounding of officers and ranks. It is official hounding and it appears to be encouraged the moment sexual orientation becomes suspect. In December 1995—a matter of only a few weeks ago—a former Royal Marine was approached in a **gay** pub in Torquay by a man who later invited him home. Upon leaving the bar, the man produced a Royal Marine military police warrant card and tried to arrest the person. He obviously did not know that the chap had left the Royal Marines some three years earlier, so no action could be taken. (c.484)

Between September and November 1995, near Aldershot, a member of Rank Outsiders—the campaigning organisation—working on a **gay** men’s health project observed frequent visits to a known cruising area by two men whom he knew were members of the Army special investigation branch. He knew that because they had conducted his investigation some time previously. During the visits he observed the SIB men making approaches to men who were of service appearance and attempting to pick them up. (c.484)

So we have official agents provocateurs in the armed forces. Not only that, but we are spending quite a lot of money on surveillance. Portsmouth Royal Naval SIB put up a camera observation point in a building opposite Drummonds public house, a known **gay** bar. Former Able Seaman Brett Burnell was investigated after being photographed entering the pub by the SIB. He was shown the photos and has been discharged. (c.485)

The other lines concern issues that have already been discussed, the exception is Edwina Currie’s rebuke of Nicholas Soames:

I believe that my hon. Friend the Minister was a sub-lieutenant for three years in the 11th Hussars. Given the amount of wise-cracking that he has been indulging in this evening, perhaps one should dub him the **gay** Hussar, but there we are. (c.484)

This suggests he was undermining her speech by cracking defensive jokes while she was speaking. **GAY** is here apparently used in its joyful meaning, but with a sharp edge given his position on the ban and that he is not known to be gay. Alongside Tony Banks’ observation that the Minister was “not even listening” (c.499), the rebuke positions Nicholas Soames as disdainfully indifferent to pro-repeal arguments; his inattentiveness also suggests he was confident of the debate outcome.



*Homosexuality* was the most used abstract noun, proportionately more so by anti-repeal speakers:

ABSTRACT NOUNS	Total Uses	Pro-repeal Uses	Pro-repeal % Debate Words	Anti-repeal Uses	Anti-repeal % Debate Words
homosexuality	27	8/27 (29.6% total) 6/8 (75% uses)	57.1%	19/27 (70.4% total) 14/19 (73.7% uses)	42.9%
heterosexuality	1	1/1 (100% total)	57.1%		42.9%
sexual orientation	11	8/11 (72.7% total) 1/8 (12.5% uses)	57.1%	3/11 (27.3% total) 1/3 (33.3% uses)	42.9%
orientation	2	2/2 (100% total)	57.1%		42.9%
homosexual orientation	2		57.1%	2/2 (100% total) 1/2 (50% uses)	42.9%
sexuality	7	4/7 (57.1% total) 1/4 (25% uses)	57.1%	3/7 (42.9% total) 3/3 (100% uses)	42.9%
sex (in reference to gender)	3		57.1%	3/3 (100% total)	42.9%
sex (in reference to sexual acts)	1	1/1 (100% total)	57.1%		42.9%
homophobia	2		57.1%	2/2 (100% total)	42.9%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use  
green text: proportionate use

Nicholas Soames spoke 10/19 lines (Appendix 46). As with other anti-repeal uses of the clinical terms, the co-text contains negative words and phrases:

<i>if homosexuality is condoned</i>	<i>do not want</i>	<i>open/ overt homosexuality</i>
<i>because of its nature</i>	<i>discharged on the ground of</i>	<i>remained incompatible</i>
<i>bound to be problems</i>	<i>creates insoluble problems</i>	<i>disrupt unit cohesion</i>

The use of *open* and *overt* imply *homosexuality* should be hidden, while that of *condoned* implies unwarranted approval. Twelve lines occur in reports, of which 10 cite authoritative sources to bolster the military view:

<i>the armed forces</i> (5 lines)	<i>the MoD review</i> (2 lines)
<i>the High Court judgment of the ban's legality</i> (1 line)	<i>General Colin Powell</i> (1 line)
<i>the High Court recommendation of policy review</i> (1 line)	

While these authoritative sources are typical of manipulative discourse (van Dijk 2006c: 375-6) and compound the lack of MoD evidence, Nicholas Soames' quote of Colin Powell undermines his dismissal of other countries' policies and places the US view above that of Europe:

I shall quote an extract from a report by General Colin Powell, the former chairman of the Joint Chiefs of Staff in America: Unlike race or gender, sexuality is not a benign trait. It is manifested in behaviour. While it would be decidedly biased to assume certain behaviours based on gender or membership in a racial group, the same is not true for sexuality. We have successfully mixed rich and poor, black and white, male and female, but open **homosexuality** in units is not just the acceptance of benign characteristics such as colour or gender or background. It involves matters of privacy and human sexuality that, in our judgment, if allowed to exist openly in the military, would affect the cohesion and well-being of the force. ... ". (c.508)

This casts *homosexuality* as *not a benign trait* and treats it as a behaviour. As in Butler's (1997: 112) view, the US "military takes every ascription of identity as equivalent to the doing of an act". However, heterosexuality is not treated as a behaviour, Powell ignores it. Only Robert Key's lines dispel the negativity: one reports his conversations with NATO troops in Bosnia where he found no threat to discipline; the other criticises the forces' double standard (quoted above).

Other abstract nouns were little used by anti-repeal speakers. As in the Powell quote, the non-use of *heterosexuality* suggests it was completely taken for granted (Voloshinov 2012: 163-4; van Dijk 2008a: 170-1) as a 'natural' rather than social phenomenon. The few lines for *sexual orientation* and *sexuality* refer to *homosexuality*, while the two lines for *homosexual orientation* clearly dispel potential for inclusiveness.

\* \* \*

The pro-repeal lines for *homosexuality* (Appendix 48) add little to the analysis. Reports account for 6/8 lines: of British forces in Bosnia, the 1986 amendment, the Calcutt Inquiry on the Cyprus 'spy' trial, John Wilkinson, the ban's repeal in Australia, and enlistment in WWII. The other two concern the MoD review. The one line for *heterosexuality* is paired with *homosexuality*, thus the former has no independent consideration.

The lines for *sexual orientation*, *orientation* and *sexuality* (Appendix 48) all occur in examples of, or arguments against, discrimination or prejudice:

<i>because of their</i> (2 lines)	<i>becomes suspect</i> (1 line)	<i>discovered</i> (1 line)
<i>on the ground of</i> (2 lines)	<i>be condemned for</i> (1 line)	<i>irrespective of</i> (1 line)
<i>whatever their</i> (2 lines)	<i>discharged if</i> (1 line)	<i>on account of</i> (1 line)

Only two lines for *sexual orientation*, plus the two for *orientation* have inclusive reference, the others refer to homosexuality; none refer to heterosexuality. The case against discrimination was clearly argued by Edwina Currie:

The other part of the proposed new clause provides that the armed forces shall not discriminate on the ground of **sexual orientation**. The supporters of the new clause want to make it absolutely clear that we disapprove profoundly of irresponsible behaviour—by whomever, and whatever their **sexual orientation** might be. We would prefer to see each case dealt with on its merits or demerits, on the details of the case as presented. (c.482)

and threaded through the debate with varying degrees of reproach, for example:

I believe firmly as a matter of principle that there should be no discrimination against any person by virtue of race, colour or **sexual orientation**.  
(Menzies Campbell c.485)

At the time, during the cold war, the pressures to which members of the armed forces [...] were subjected because of their **sexual orientation** and particular way of displaying it seemed very wrong.  
(Kevin McNamara c.488)

It seems to be all right to promote a convicted murderer in our armed forces, but it would appear that people of a particular **sexual orientation** are more dangerous to the good name of our armed forces.  
(Gerald Kaufman c.492)

It is plainly an injustice that men or women, on account of their **sexuality**, should be denied the opportunity to serve their country in the armed services.  
(Alan Howarth c.495)

They start by paying fulsome tribute to those homosexuals whom they know have served the country and continue to serve the country. But still they say that they will, in effect, be condemned for their **sexual orientation**.  
(Tony Banks c.495-6)

I first say to [John Wilkinson] who was concerned about the threat of blackmail if we passed the new clause, and [Robert Key] who was concerned about the threat of victimisation: what on earth do they think is happening in the armed forces today? There is blackmail and victimisation because people are frightened that they will lose their jobs and be discharged if their **sexuality** is discovered. That is the situation.  
(Clive Betts c.497)

If we fail to pass the new clause tonight, John Beckett will not stand guilty of any crime, but we in the House will stand guilty of failing to allow him and hundreds, perhaps thousands, of other young people the opportunity to serve Britain in the way that they have chosen simply because of their **sexuality**.  
(Clive Betts c.498)

Surely, in the end, it is codes of conduct rather than the letter of the law that count. I suggest to [John Wilkinson] that what is important is the way in which our extremely wonderful instincts are used, and the degree of responsibility or irresponsibility with which they are used, irrespective of **orientation**.  
(Nigel Spearing c.499)

It was the ostensibly neutral or inclusive reference of these terms that was used to highlight discrimination and prejudice; they thus link into the ‘ideological chain’ (Voloshinov 1986: 11) that threads through the pro-repeal speeches.

\*   \*   \*

Overall, each side’s uses of sexuality terms, and their contributions to the debate in general, can be seen in terms of authoritative and internally persuasive discourse (Bakhtin 1981: 345-6). With the partial exceptions of Robert Key and John Reid, anti-repeal speakers capitulated to the authority of the forces chiefs. Pro-repeal speakers based their arguments on real-life examples and principles of justice and equal treatment.

### **Associations and Implications**

Four features of the debate require further discussion. First, the non-attribution of responsibility for ensuring the ban’s retention to the Chiefs of Staff. Second, anti-repeal speakers concern to distance themselves from being seen as homophobic. Third, the greater use of *homosexuals* when nouns for people is the least used lexical category in all other debates analysed Chapters 5-10, as well as in the wider corpus analysis Chapter 11. Fourth, the sidelining of lesbians when the ban applied equally to lesbians and gay men.

Most anti-repeal speakers had sat on the Select Committee; most pro-repeal speakers had read its report. They could not fail to be aware of the MoD survey's invalidity, that its leading questions and covert lack of anonymity had served the Chiefs of Staff determination to retain the ban. As Angela Mason noted during Stonewall's evidence, there is "a very clear case for a genuine and independent review of these issues" (HC 7.5.1996: 99). The survey represented only 0.26% of forces members (*ibid*: 100) and Edmund Hall had discovered the postal survey was sent mainly to older members (*ibid*: 101). Rob Hayward, an expert in polling and statistics, had submitted a report of the survey on behalf of Stonewall. His evidence was unwelcome; the Chair, Peter Viggers, saw it as "a peripheral issue, not absolutely central" (*ibid*: 100). Yet, in the evidence given by MoD representatives and Chiefs of Staff (*ibid*: 89-98), the survey constituted sole justification for retaining the ban. The Chiefs of Staff were not mentioned in the debate. Where pro-repeal speakers attributed responsibility for discrimination or prejudice, it was displaced. Where anti-repeal speakers attributed need for the ban's retention, it was to generalised categories such as: *serving personnel, the armed forces, forces members, service men, serving men and women, the review report, the assessment team, collective professional judgments, or the wishes of the military*. There was no evidence for the feared effects of the ban's repeal; the available evidence was to the contrary. That speakers on both sides by-passed the role of the Chiefs of Staff suggests criticisms of the military hierarchy were 'off limits'. However, this positioning of the Chiefs as a force not to be crossed was specific to the ban. As Edwina Currie pointed out, MPs overruled objections in the case of women serving alongside men. This positions the prejudice and discrimination against lesbian and gay personnel as more powerful in that the Government was not prepared to overrule it and the Labour leadership was not prepared to vote against it. A sense of threat underlies these capitulations to military authority, as if trouble was anticipated if the ban were repealed.

While references to prejudice and discrimination threaded through the pro-repeal speeches, anti-repeal speakers were careful to distance themselves, the armed forces, and/or the Select Committee from being seen as homophobic. This took different forms. John Wilkinson deployed platitudes and euphemisms:

We must not be in any sense censorious—that is the last thing we want—but must seriously consider the evidence. (c.488-9)

Those values may not seem to us identical to those that we normally share, but the profession of arms is a calling distinct from civilian life. (c.489)

Although those values may appear a bit traditional, for those who serve in the armed forces they are greatly appreciated. (c.490)

Peter Viggars opted for reassurance and displacement:

I wish only to assure the House of the care and the concern that the Select Committee put into considering this issue. (c.497)

I think that it is right that we should take account of the overwhelming response that came back, which is that they wish the status quo to continue. (c.497)

Robert Key came closest to suggesting responsibility:

The argument stems from the military ethos, which filters down through the whole chain of command, and says straightforwardly that the military are different. (c.493)

John Reid alluded to prejudice six times:

On the basis of those premises, when we cut through the fog, the propaganda and the prejudice, three essential questions remain. (c.501)

That is the key problem, and it does not relate to prejudiced allegations of increased potential for promiscuity among homosexuals. (c.502)

Prejudice is no ground on its own for continuation of past prejudice (c.502)

Individuals have a range of feelings that are often difficult to classify because they range from irrational prejudices to moral perceptions. (c.503)

... Members who will be in the same division lobby as me tonight who sometimes seem incapable of presenting a logical argument because they are blinded with prejudice. (c.503)

If I were advocating the case to members of the armed services, I would first stop trying to portray them as a bunch of redneck, thick-skulled and prejudiced bigots, although I am not saying that my hon. Friend is doing that. (c.504)

Nicholas Soames resorted to outright denial and disclaimation:

The current policy of excluding homosexuals from the armed forces is not - I repeat, not - the result of a moral judgment. (c.505)

Although we have no desire to discriminate against homosexuals, or indeed any other minority, the Government will not capitulate to such doctrinaire attitudes. (c.509)

Let me make it clear - this is not about homophobia in the armed forces. (c.509)

This suggests that being seen as homophobic was becoming less acceptable. The extent to which this was linked to changing perceptions of lesbians and gay men, or simply a response to the pro-repeal speakers chain of references to prejudice and discrimination is unclear. However, in voting for the ban's retention, anti-repeal speakers were complicit in retaining a ban based on homophobic beliefs.

A third feature of the debate is the primary use of *homosexuals*. The Hansard searches for key debates (Chapter 2) found that *homosexual(s)* featured more prominently in debates on the armed forces. This prominence of clinical terms suggests a contextual effect that links to the term's criminal and clinical heritage which was formally retained in the armed forces after the 1967 Sexual Offences Act. Given the strength of support for the ban in the military hierarchy, it is no surprise that the clinical terms permeated MPs speech on the issue. As Bakhtin (1981: 294) put it: it is not "out of a dictionary that the speaker gets his words [they exist] in other people's mouths, in other people's contexts, serving other people's intentions". However this does not explain the more frequent use of nouns for people. The uses of *homosexuals*, *gays* and *heterosexuals* (not *lesbians*) are all more frequent than in other debates analysed, while *straights* is not used elsewhere. The focus of argument is on the sexual identity of men. Two points are relevant here. First, decriminalisation (administrative in 1992 and by

repeal of the 1967 Act in 1994) applied to sexual acts between men. This shifted the post 1992 target of exclusion onto people's non-heterosexual identities, to which the male aligned *homosexuals* was applied. This also accounts for the greater use of *heterosexuals*, which functioned largely as a comparator rather than an indicator of wider heterosexual identity recognition—*heterosexuals* was less used in later debates (Chapters 8-10). Second, as mentioned above, the focus on *homosexual* men relates to beliefs about masculinity and the policing of its boundaries, within which homosexuality and femininity are subordinated (Baker 2008: 152). As Connell (2003: 50-1) argues, by the eighteenth century military performance had become “an unavoidable issue in the construction of masculinities”. Although *bisexual orientation* was included in the amendment, bisexuals were not mentioned in the debate. The erasure of bisexuals is nothing new (Murphy 1997: 35-57; Baker 2008: 145-152). As Baker (*ibid*:150) argues, it is “a powerful strategy for maintaining the illusion of the binary system of homosexuality and heterosexuality”, an issue also discussed by Waites' (2005b). This binary can also be seen in terms of Bakhtin's (1981: 271-2) centripetal and centrifugal forces. While by the 1990s the centrifugal forces of lesbian, gay and bisexual resistance were loosening the taken-for-granted naturalisation of heterosexuality, the centripetal forces of official nervousness were tightening the demarcation of certain categories. As Weeks (2011: 121) notes, “sexuality has become a terrain of acute uncertainty”.

The final theme is the debate's marginalisation of lesbians. That the majority of forces' personnel were (and are) men, does not account for the scant use of *lesbian(s)* or their lack of independent use. The ban's repeal applied equally to both lesbian and gay personnel. Hall (1995: ch.2) shows that women in general and lesbians in particular faced additional difficulties in the military. Of cases cited by pro-repeal speakers, Jeanette Smith, a High Court appellant, was the only lesbian. Eight cases of gay men were cited as examples and largely



account for *HE* and *HIS* being pro-repeal keywords. That two lesbian members of Rank Outsiders, Lis Campion, a former lieutenant and Karen Greig, a former navy engineer, gave evidence to the Select Committee, shows that their cases at least were available for mention. The imbalance relates to the preoccupation with men's non-heterosexuality and to the policing of male gender boundaries, which further illustrates the extent to which homophobic anxieties pertained to men.

### **Conclusion**

The political context of this chapter illustrates the power the military exerted in and over Parliament in retaining the criminalisation and discharge of *homosexuals*. The armed forces gained exemption from the 1967 Sexual Offences Act and resisted successive attempts to change the law after the 1985 Cyprus Spy trial revealed the imprisonment and torturous interrogation techniques to which individuals suspected of non-heterosexual behaviour were subjected. It took until 1992 to achieve decriminalisation, formalised in 1994, which shifted the focus of surveillance, interrogation and discharge from sexual acts to sexual identity. Politicians' capitulation to the military chiefs is clearest following the judicial review in 1995, which recommended that the MoD review the exclusion and suggested it be replaced by a code of sexual conduct applicable to all. The MoD review was rigged. Despite the review's well-publicised rigging, the Select Committee accepted its recommendation that exclusion should continue. At the code-of-conduct amendment debate, the Government put a three-line whip on the vote against it. Blair bypassed Labour policy in allowing a free vote at a time when the Government was almost without majority. This was seen as his refusal to risk the hostility of military chiefs the year before an election.

In the debate analysed, references to prejudice threaded through the pro-repeal speeches, but it was unattributed or displaced. Similarly, discrimination

was attributed to the law rather than people. Anti-repeal speakers distanced themselves, and sometimes forces personnel, from prejudice and discrimination by means of euphemism, displacement or denial. Criticism of the military chiefs was absent on both sides. As in Chapter 6, the Flowcharts in the Words and Themes section reveal a contrast between each side's contributions to the debate. On Flowchart 5, the more integrated pro-repeal keywords and collocates point to consistent argument. On Flowchart 6, the very sparse anti-repeal links point to isolated and unsupported claims. The pro-repeal keywords *WHO*, *WAS* and *HE* reveal the extent of speakers' reports of forces members affected by the ban. As in Chapter 5, these statistically significant grammar words would have been taken for granted in a content analysis. The anti-repeal keywords *OPERATIONAL*, *EFFECTIVENESS* and *COHESION* reveal the extent of speakers reliance on the rigged MoD review as an authoritative source. In the Views of Sexuality section, the nouns for people reveal an almost total focus on men on both sides of the debate, even though lesbians were equally affected by the ban. This links to the protection of male gender boundaries in both the military ethos and homophobic beliefs. *Homosexual* was the main anti-repeal adjective and occurs mainly in reports of the Select Committee and Government acceptance of the MoD review. The pro-repeal adjectives were more varied. The proposed code of conduct was a recurrent theme in uses of *homosexual*, *heterosexual* and *sexual*, while *GAY* occurs mainly in reports of SIB investigations and the experiences of *GAY* forces personnel. Notably, neither *gay* nor *gays* were used by anti-repeal speakers.

The ban's repeal in 2000 resulted in the anomaly that from 2000 to 2003, forces personnel were the only lesbian, gay and bisexual employees protected by employment equality legislation. This chapter completes the analyses in the first legislative period. The first analysis in the second period focuses on the Adoption and Children Bill 2001-2 which is examined in Chapter 8.

## Chapter 8

### Adoption and Children (2001-2)

Labour won the 1997 election with a landslide majority of 179 and, with Rupert Murdoch behind him, Tony Blair as prime minister (Davies 2014 ch.9). After 18 years of Conservative rule there were hopes for change “across a range of social policies” (Epstein *et al* 2000: 6). Various changes in Blair’s first term eased the passage of later reforms. The Amsterdam Treaty 1997 included sexual orientation in a provision to ban workplace discrimination. The Human Rights Act 1998 incorporated the ECvHR into UK law. The Scottish Parliament and the Welsh and Northern Irish Assemblies were created in 1998. The latter was based on the principle of power sharing set out in the Good Friday Agreement, which brought an uneasy peace to Northern Ireland. Section 75 of the Northern Ireland Act included sexual orientation in its obligation to promote equality. The Greater London Authority Act 1999, which reinstated an autonomous council for Greater London, also included sexual orientation in its anti-discrimination section. The House of Lords Act 1999 reduced hereditary peers from 758 to 92. Legislation specific to lesbians and gay men included the age of consent equalisation and an attempt to repeal Section 28 (Appendix 1).

The 2001 election was again won by Labour with another large majority of 167. However, support for the Government waned with Blair’s commitment to US military action after 11.9.2001. Afghanistan was invaded on 7.10.2001. The Anti-Terrorism, Crime and Security Act 2001 was rushed through amid controversy. Other controversial legislation included the Nationality, Immigration and Asylum Act 2002 and incremental privatisation of the health and education services in the Health and Social Care Act 2001 and the Education Act 2002. Legislation

affecting lesbians and gay men shifted from repealing discriminatory laws to new legal protections and recognitions (Appendix 1).

This chapter outlines the context of an amendment to the Adoption and Children Bill which shows the Government's cautious and strategic approach to the deletion of 'married' as a requirement for joint applicants. A review of relevant research follows, plus a summary of the amendment's parliamentary passage and an account of the selected debate. Comparisons of each side's top-ten keywords and the sexuality terms used are followed by a discussion.

### **Political Context**

The Adoption and Children Bill was introduced late in 2000, but lapsed before the 2001 election. It was revived early in Blair's second term. The Bill's main purpose was "to increase the number of children adopted from care" by improving the adoption service (HC Research Paper 01/33: 15). Existing law required that couples applying to adopt were married, but individuals, including lesbians and gay men, could apply whether or not they were in a relationship. The first Bill made no provision for unmarried couples to adopt, but did enable two unmarried people to apply jointly for a Special Guardianship Order whereby the child could retain a link to its birth parent(s).

The British Agencies for Adoption and Fostering (BAAF) welcomed the Bill. Among the issues raised by individual agencies in the consultation, NORCAP (National Organisation for Counselling Adoptees and Parents) argued:

We also regret that there is no change to the status quo that adoption orders are granted to married couples or individuals. MPs may be concerned that provision for adoption orders to be made to couples who are [not married] would be interpreted by their constituents and others as promoting adoption by gay couples. This is not the key factor. Please re-examine this from a child-centred perspective -  
(HC Research Paper 01/33, 23.3.2001: 38).

Unless there is legislation, which few people would welcome, that children should only be placed with married couples or single people who live alone then placements with unmarried couples both heterosexual and gay will be made. If they are the people who together can meet the child's needs then the child needs to be adopted by both of them. (*ibid* p.39)

In the House of Commons Research Paper accompanying the Bill's revival, the Government acknowledged that:

Several of the organisations giving evidence to the Select Committee were critical of the fact that unmarried and/or same-sex couples will not be able to adopt, although the Bill does not rule out the possibility, which exists now, that a single person who is cohabiting could become the adoptive parent.  
(HC Research Paper 01/78, 26.10.2001: 27)

Among the BAAF's and NORCAP's concerns in the Paper's response section are:

We [the BAAF] are concerned that the Bill continues to restrict adoption to married couples or single people. We believe it does a disservice to children not to allow two adults in a stable long term relationship to adopt a child jointly.

[...]

If we restrict joint adoption to married adults we can only reduce the opportunity for children to find adoptive parents – there is already a shortage of adopters for many groups of children. While it remains impossible for both partners in a cohabiting relationship to adopt, the child will be deprived of the joint legal and lifetime commitment by these parents. (*ibid* p.40)

NORCAP remains greatly concerned by the inappropriateness of placing children for adoption with two adults who share a household but who are not married to one another whilst not providing for both adults to become adoptive parents to the child. People in non-marital relationships can and do parent children most successfully, they are needed within the pool of potential adopters. What the child needs is the opportunity to be adopted by both of them. (*ibid* p.48)

A combination of adoption agency submissions, Labour backbench pressure and support in the Guardian, resulted in an amendment to delete 'married' from the Bill. Blair gave Labour a free vote and the Commons passed the amendment, but the Lords reinserted 'married'. Back in the Commons 'married' was again deleted with increased support from Conservative rebels, which eased acceptance of the change in the Lords'. The Act included many necessary adoption-law reforms. Sections 45, 50 and 51 apply to adopters:

#### 45 Suitability of adopters

- (1) Regulations under section 9 may make provision as to the matters to be taken into account by an adoption agency in determining, or making any report in respect of, the suitability of any persons to adopt a child.
- (2) In particular, the regulations may make provision for the purpose of securing that, in determining the suitability of a couple to adopt a child, proper regard is had to the need for stability and permanence in their relationship.

#### 50 Adoption by couple

- (1) An adoption order may be made on the application of a couple where both of them have attained the age of 21 years.
- (2) An adoption order may be made on the application of a couple where—
  - (a) one of the couple is the mother or the father of the person to be adopted and has attained the age of 18 years, and
  - (b) the other has attained the age of 21 years.

#### 51 Adoption by one person

- (1) An adoption order may be made on the application of one person who has attained the age of 21 years and is not married.
- (2) An adoption order may be made on the application of one person who has attained the age of 21 years if the court is satisfied that the person is the partner of a parent of the person to be adopted.
- (3) An adoption order may be made on the application of one person who has attained the age of 21 years and is married if the court is satisfied that—
  - (a) the person's spouse cannot be found,
  - (b) the spouses have separated and are living apart, and the separation is likely to be permanent, or
  - (c) the person's spouse is by reason of ill-health, whether physical or mental, incapable of making an application for an adoption order.
- (4) An adoption order may not be made on an application under this section by the mother or the father of the person to be adopted unless the court is satisfied that—
  - (a) the other natural parent is dead or cannot be found,
  - (b) by virtue of section 28 of the Human Fertilisation and Embryology Act 1990 (c. 37), there is no other parent, or
  - (c) there is some other reason justifying the child's being adopted by the applicant alone, and, where the court makes an adoption order on such an application, the court must record that it is satisfied as to the fact mentioned in paragraph (a) or (b) or, in the case of paragraph (c), record the reason.

(Adoption and Children Act 2002, Chapter 3, Sections 45, 50, 51)

Adoption by same-sex couples is not mentioned, but with the omission of 'married' is not excluded. With no potential for discrimination claims, the Act complied with the Human Rights Act.

### Relevant Research

The Adoption and Children Bill is briefly discussed by Waites (2005b). It is the main focus of a social-policy study (Dey 2005), and contextualises a study of narratives by and about lesbian and gay adopters and foster carers (Hicks 2005).

Waites (2005b) reviews the persistence of essentialist thinking on sexual identity in key parliamentary debates since 1997. While such thinking was less evident in the adoption debates than those on the age of consent or Section 28, he qualifies the extent to which this suggests “new patterns of discourse” (548). On the adoption debates he acknowledges that, despite “deep-rooted prejudice against lesbian and gay parenting” and its believed threat to securing children’s heterosexual identity, a majority of MPs and children’s organisations supported same-sex couples as adopters (550-1). Yet, in both the Section 28 and adoption debates, it was claimed that “encounters with lesbian and gay people in the contexts of education and parenting do not influence sexual-identity formation” (551). His concern is that essentialist claims have infiltrated “popular common sense” (552) and are structuring young people’s sexual-identity formation within the polarising heterosexual/homosexual binary which protects heterosexuality. He accepts that political responses need to be strategic “to a degree” (562) and points to the wider context through which sexuality politics must find a path. Thus his suggestion that completion of the above debates offers an opportunity “to change the terms of debate” (*ibid*) may be optimistic. The Adoption and Children Act did mark a legislative shift towards social inclusion, but MPs’ and Lords’ support was not only focused on non-heterosexual parenting.

Dey (2005) evaluates the passage of the Bill in terms of policy issues. He views it as an example of how state and society are responding to changes in family composition, but his focus is the Government’s motivation and strategy.

He argues that the Government's focus on administrative delay in the adoption process allowed them to "navigate the political debate around adoption with minimum opposition and maximum comfort" (5). He charts their navigation of the Bill's two major controversies: first over the policy of racial matching; second over the policy of married couples. He views the Government's approach as an exercise in political pragmatism. On the eligibility of unmarried couples, he argues that they had anticipated resistance and acceded only when the adoption agencies had made the case for change (10). While he sees the free vote as lack of Government courage rather than strategic, he sees the absorption of lesbian, gay and heterosexual couples into the category of 'unmarried' as a means to avoid conflict with human rights law and charges of discrimination. On the Commons response to the Lords' reinsertion of 'married', he sees the Labour emphasis on expanding the pool of adopters in the interests of children in care as Government spin to overcome opposition to same-sex couples adopting. However, his view of the Conservative rebellion as marker of the spin's success is questionable. Other factors were at play, not least in ongoing Conservative divisions (Watt 4.11.2002). Dey argues that the case for not discriminating against same-sex couples was passed by default, but notes there is good evidence on children's well-being to support adoption by same-sex couples had the case been argued—evidence that, as he shows, was informing other northern European legislatures. He concludes with statistics showing the Act only slightly increased adoption rates. While his reference to "the gay movement" (12) is oddly unfamiliar, he recognises the Act's positive response to more "diverse forms of family life" and that the Government's failure to oppose popular prejudices "tacitly legitimated them" (13).

Hicks (2005) analyses narratives by and about lesbian and gay adopters and foster carers with reference to the application process, the Lords debates, and a lesbian and gay parenting magazine. His analysis has four sections. The first reviews narratives that treat lesbian and gay parenting as an unremarkable



activity, characterised by assertions of similarity to heterosexual families and accounts of the mundane activities of parenting. He notes that some feminist and queer theorists see such assertions as assimilationist, but argues that parents may make them to claim legitimacy and counter prejudice. Hicks' second section reviews narratives that treat lesbian and gay families as radical or oppositional. As he notes, such claims can be made for opposing reasons. He cites Baroness O'Cathain as an example of a social conservative who views lesbian and gay parenting as a threat to society, marriage and 'the family'. By contrast, lesbian and gay parents may refer to alternative kinship networks or claim they are redefining 'the family'. He argues that they may make such claims to counter heteronormative assumptions about 'the family' and that they often "sit next to and in contradiction with claims of normality and legitimacy" (302). Hicks' third section explores these contradictions. He argues that both radical and conformist views of lesbian and gay parenting have "fixed views" of such families' intentions and experiences (303). Accounts designating "inherent radicalism or assimilation do not adequately deal with the ways that family narratives by lesbians and gay men demonstrate complex assertions about their everyday ethics and struggles" (304). Hicks' fourth section reviews the narratives in a social work context:

My view is that many foster care or adoption applicants are faced with, and wish to challenge, routine experiences of homophobia. Apart from the wide range of heteronormative ideas that question the moral or practical legitimacy of lesbian and gay foster or adoptive care, those applicants who do manage to be assessed by social work agencies nevertheless have to negotiate a path strewn with strange and limiting notions about 'sexuality' (304).

In this context, he concludes that lesbian and gay parents "use legitimacy and conformity claims to challenge heteronormative practices [and] rebellion narratives to assert their 'difference' and the importance of their sexuality" (305). In analysing these narrative selves, he hopes to stimulate questions about intimacy, care and parenting in social-work practice.

Both Waites and Dey see the passage of the Adoption and Children Bill in terms of response to social changes in family composition, but as Hicks shows, social workers' suspicions and fears related to adoption and fostering applicants' sexuality were lingering on despite the adoption-agency submissions.

### **The Passage of the Bill**

Before the Bill's revival, the BAAF commissioned a MORI poll which found 7% of married couples but 14% of unmarried couples would consider adopting. The Guardian published this finding the day of the Bill's second reading (Collier 29.10.2001). The debate (HC 29.10.2001 cc.649-726) was wide-ranging and lasted five hours. Alan Milburn, Secretary of State for Health, introduced the Bill. He presented its primary focus as the best interests of the child and its specific target as children in institutional care. MPs from all main parties voiced support for unmarried couples (Debra Shipley, Evan Harris, Meg Munn, Liz Blackman, Hilton Dawson, Andrew Lansley, Kevin Brennan, Jonathan Shaw). The Bill had cross-party support and was passed to a Special Standing Committee.

In January 2002, an early-day motion for unmarried couples to adopt attracted cross-party signatures. There was support in the liberal press (White & Blackstock/Woolf 23.1.2002) which noted some Conservatives wanted to restrict the definition of couple to 'man and woman'. Ministers were reported to favour a free vote; Downing Street was said to be resistant to change. Tony Blair's silence prompted Evan Harris to seek the Government's view of the motion (24.1.2002 c. 1023; 31.1.2002 c.443); it was non-committal. Two months later, a Guardian leader (14.3.2002) cast the Government's non-commitment as "pusillanimous".

At the Report stage of the Bill (20.3.2002 cc374-379), unmarried couples were among issues given more time for discussion. Uncontroversial parts of the Bill were then passed (cc.380-408). Two months later, Alan Milburn announced

an amendment to delete ‘married’ tabled by David Hinchliffe, the Committee’s chair, and a free vote (7.5.2002 cc.7-10). Evan Harris queried the absence of a Labour whip (*ibid* c.8) and was told it was a sensitive issue. Another amendment, tabled by Andrew Lansley, sought to have ‘couple’ defined as ‘man and woman’.

This got the tabloids interested. Headlines ranged from a moderate if inaccurate ‘Blair will allow gay couples to adopt’ (Revill 7.5.2002) to ‘OUTRAGE AT LAW MOVE TO LET GAYS ADOPT CHILDREN’ (Walker & Lee 8.5.2002). The Independent too opted for sensation ‘HOMOSEXUAL RIGHTS: GOVERNMENT BACKS CALL FOR ADOPTION BY GAY COUPLES’ (Woolf 8.5.2002). Only the Mirror was accurate and supportive ‘GAY PARTNERS GET THE CHANCE TO ADOPT’ (Hardy 8.5.2002). Condemnation rumbled on in the right-wing press (Phillips 13.5.2002; Bonthrone & Jones 14.5.2002).

The amendment debate (16.5.2002 cc.967-1004) was limited to two hours. Two amendments were proposed. Evan Harris began with his Liberal Democrat amendment. He focused on social change, research on same-sex parenting, and human rights, but the timing of Labour interruptions suggests these were topics Labour sought to avoid. David Hinchliffe, by contrast, meandered through the scurrilous press coverage and his social-work credentials before focusing on legal anomalies, relationship stability and the rigorous adoption assessment. He cast adoption by same-sex couples as a “red herring” (c.981), but conceded it could be in the interests of some children. He appealed for children’s best interests to be paramount. MPs on both sides of the debate commended his measured tone, while Evan Harris was castigated and eventually withdrew. David Hinchliffe’s amendment was passed by 288 to 133 votes. Tony Blair supported it, as did four Conservatives against their party whip, while three Shadow Cabinet members abstained. Eighteen Labour MPs voted against, including nine Cabinet members—hence the free vote; three more Cabinet members abstained. The vote was widely reported in the press (17.5.2002). All featured ‘gay adoption’ and most

reviewed Conservative dissent. By contrast, Pink Paper (*ibid*) reported Stonewall's "refusal to comment on the future of gay adoption despite the homophobic media furore that had greeted the Government's announcement" of the free vote.

Andrew Lansley's amendment to limit the definition of couple was debated the following Monday (20.5.2002 cc.22-96) and defeated by 301 to 174 votes. The Bill's third reading followed (cc.97-122). Press reports (21.5.2002) varied. Some featured Conservative divisions, others predicted a battle in the Lords.

The Bill's second reading in the Lords spanned two sessions (10.6.2002 cc.20-33; cc.46-115) and lasted five hours in total. Lord Hunt introduced the Bill for the Government. It was fully discussed, but marriage was a recurring theme. Baroness Young led the opposition to David Hinchliffe's amendment, but there was considerable support for unmarried couples. Of the 28 peers who spoke, 22 mentioned the issue: 13 in support, seven against and two non-committal. Lord Hunt commended the Bill to the House.

At the first Committee session (24.6.2002 cc.1-60GC) it was announced that amendments on which the Committee could not agree should be withdrawn until the Report stage. The Committee took up seven sessions. Amendments on unmarried couples were discussed during the first (*ibid* cc.20-35), the fourth (4.7.2002 cc.212-221GC) and the fifth (11.7.2002 cc.227-259GC). In the first, Lord Campbell sought to avert discrimination against homosexual couples. In the fourth, Lord Northborne sought to include assessment criteria for relationship stability and commitment to the child regardless of marital status. In the fifth, Earl Howe sought to reinsert 'married'. Ten speakers took his claims apart. Baroness Gould noted the presence of peers who were absent when assessment criteria were discussed. There was no agreement. All three withdrew.

The Report stage took up four sessions. Unmarried couples were debated during the second (16.10.2002 cc.860-950). The day before the debate, the Mail cited a Christian Institute poll in Tony Blair's constituency which claimed 71% of

the 500 respondents opposed gay couples adopting (Paveley 15.10.2002). The Telegraph and the Guardian quoted Baroness O’Cathain’s opposition at length (Jones/Ward 15.10.2002). On the day of the debate, the Telegraph reported the opposition of religious leaders and that the Christian Institute was proposing a ‘donor card’ for (heterosexual) parents in case the Lords backed the Commons (Petre 16.10.2002). All papers highlighted ‘gay adoption’.

The debate lasted three hours (16.10.2002 cc864-913). Earl Howe again presented his amendment. He concluded:

My greatest objection, if the Bill were to pass as it stands, is that for the purposes of adoption the law would place marriage, cohabitation and gay partnerships on a platform of legal equivalents. (c.868)

Lord Jenkin had not attended Committee debates but proposed an amendment limiting the definition of ‘unmarried’ to heterosexual couples. His concern was:

Just as a child must have both a father and a mother to come into the world, it is right that a couple adopting a child and becoming its adoptive parents should consist of a father and a mother. (c.871)

Twenty peers made speeches. Of the 11 who supported Earl Howe, most had not participated in previous debates and some appeared unfamiliar with the Bill.

Baroness O’Cathain acknowledged her previous non-participation, but explained:

I do so because, the evening before she died, our late noble friend Lady Young asked me to do so. She had been feeling frail and wished to ensure that the cause of children would not go by default if she had not recovered before today. Your Lordships should note: “the cause of children”. Sadly, within 12 hours of my being able to take that concern off her shoulders, she died. (c.881)

This had powerful emotional appeal. She then echoed much of Baroness Young’s speech at second reading and asked:

What is the justification for amending the Bill in the other place? Is it political correctness? Is it social engineering? Or—perish the thought—is it the permanent downgrading of marriage and the family? I repeat that it is the children I am concerned about. (c.882)

Baroness Blatch owed to missing Baroness Young and was “proud to follow in [her] noble friend’s footsteps” (c.897). The privileging of marriage and by proxy heterosexuality, along with belief in the necessity of a ‘mother and father’, were the core concerns of Earl Howe’s supporters, amplified by injections of Christian idealism. As Weeks notes:

Marriage matters because it promotes and naturalises heterosexuality as the norm, and thus by definition excludes non-heterosexual people.  
(Weeks 2011: 109)

All nine speakers who argued against Earl Howe had spoken in previous debates. They focused on: relationship quality, the ability to offer a child a secure home, the life chances of children in care, the lack of threat to marriage, social change, and need for a wide range of adopters for a wide range of children. Lord Campbell reviewed the human rights position. In summarising, Lord Hunt, after echoing tributes to Baroness Young, highlighted the life chances of children in care, invoked the widespread professional support and refuted the charge of political correctness: two legal parents offered more security than one. Lord Jenkin then withdrew his amendment and Earl Howe’s was passed by 196 to 162 votes.

The next day’s papers again highlighted ‘gay adoption’ (Blackman/Cecil/Eastham & Paveley/Jones/Russell/Wintour 17.10.2002), while the Times also presented the vote as a defeat for Blair (Kite 17.10.2002). After the Bill’s third reading (30.10.2002 cc.199-251), it was returned to the Commons. The debate on unmarried couples is analysed below.

### **The Debate**

On the Bill’s return, David Hichliffe re-tabled his amendment to delete ‘married’ and the issue was debated again (4.11.2002 cc.24-96), for five hours. As before, Labour MPs had a free vote and Conservatives were under a three-line

whip. Thirty MPs spoke, 16 made speeches, 12 in support of the amendment (Appendix 49). All speakers against the amendment were Conservative and 8/9 were men, as were the four speechmakers. Of the cross-party speakers for the amendment, 15/21 were Labour—five of whom were women, four of whom made speeches. In addition, seven Labour speakers had worked in social services, children's homes, or for Barnardo's (David Hinchliffe, Dari Taylor, Meg Munn, Liz Blackman, Jonathan Shaw, Hilton Dawson, Julie Morgan) and two were adoptive parents (Michael Jabez Foster, Dari Taylor). Of Conservatives complying with their party whip, Jonathan Djanogly had chaired a social services committee.

David Hinchliffe introduced the debate by proposing "this House disagrees with the Lords in the said amendment" (c.24):

I take the view that the purpose of the original amendment was fundamentally misunderstood and misrepresented in another place. I should like to address my concerns about that misrepresentation of the purposes of the original amendment agreed to by this House. (c.24)

He wanted to consider the main theme of the Lords anxieties. He was puzzled as to "why so-called gay adoptions had dominated their lordships' concerns" (c.27):

Certain myths are doing the rounds in the other place that perhaps underpin their lordships' misunderstanding of what we, I hope, will propose in the Commons. (c.28)

The Lords lacked knowledge about pre-adoption assessment:

The peers do not seem to understand that there is an extremely thorough and complex process that leads to a large number of applicants being rooted out. (c.29)

I genuinely feel that the Lords fundamentally misunderstood the processes that occur before people are allowed to adopt. (c.29)

They seemed to have accepted "all the tabloid tales of so-called politically correct social workers' rejections of adoption applications" (c.29):

I suspect that their lordships have fundamentally misunderstood the difficulties that may be involved in defending those decisions. (c.29)

On social engineering, he cited the Lords' concern about married couples losing their priority and asked "who is involved in social engineering?" (c.30).

By representing the Lords' position as 'misunderstanding' he avoided criticising their 'protection-of-marriage'/'man-and-woman'/'mother-and-father' agenda. As this very long debate progressed, previously aired arguments were restored, restated and repeated. Concessions and qualifications on both sides suggest caution, not least in relation to same-sex couples, albeit for different reasons. Speakers who disagreed with the Lords generally circumvented this most contentious topic. Speakers who agreed with the Lords were wary of being seen as homophobic. Speakers who disagreed focused on the need to increase the number of potential adopters and the rigorous assessment of applicants. Speakers who agreed focused on multifarious statistics claiming the instability of unmarried relationships and Social Services' bureaucracy. Both sides hung their arguments on children's best interests. Both sides highlighted the plight of children awaiting adoption to maximise emotive appeal. Marriage was a recurring theme and became a proxy for underlying concerns.

Speakers disagreeing with the Lords carefully respected the institution of marriage amid concessions to traditional views and qualifications of adoption applicants. David Hinchliffe believed in marriage:

I should like again to stress my personal strongly held belief in marriage. I do not want to cover ground that I covered in detail last time we debated the Bill, but I believe that if we had more marriage in society, we would have a much more stable society in which children are happier and perhaps stand a better chance in later life. Perhaps we as a society should spend more time considering how we support and promote marriage. (c.24)

His amendment's supporters had no wish to undermine it:

Many of my friends are Catholics, and they are divided. Some are strongly in support of the amendments' aims and objectives. They understand that the supporters do not wish to undermine the institution of marriage. (c.25)



He did not defend the decline of marriage:

Within the House and elsewhere in wider society, apparently more and more people choose to live in long-term stable relationships without going through the marriage ceremony. I do not defend that necessarily, but I respect the fact that people have the right to take that course if they so wish. (c.25)

I cited figures in our previous debate to show that in 25 years, approximately 20 per cent. of couples will live together without going through a marriage ceremony. I do not defend that trend, but we must live in the real world and understand that, simply because people are not married, it does not mean that they cannot bring up children appropriately in stable relationships. (c.25-6)

Although its stability was not guaranteed:

As I said in our previous debate, I have a background in adoption and guardian ad litem work. I know of cases of married couples who adopted children and whose marriages subsequently broke down. In many instances, that cannot be predicted. (c.26)

Yet he restricted the appropriacy of adoption by unmarried partners:

The amendments to the Lords amendments secure the best interests of children by acknowledging that in some circumstances, they may be served by adoption by unmarried partners. (c.26)

His caution is palpable. He conceded the primacy of marriage while arguing for the integrity of unmarried couples, then restricted the appropriacy of adoption by unmarried partners while maintaining its irrelevance to children in care. Michael Jabez Foster conceded marriage may be the best if not the only option:

I acknowledge that the best option for bringing up children may be a man and a woman in a committed relationship, which will often mean marriage, but to suggest that marriage is the only relationship that will provide a satisfactory outcome is patent nonsense. (c.33)

He argued for confidence in professional judgment, but conceded:

It is true that many opponents acknowledge the right of individuals to live as they wish, but they simply consider that placing the precious lives of children in such a situation is wrong. I would go so far as to accept that, although this is not necessarily the case, the best chance of a successful adoption may be with a married couple including a mother and a father. That is in the main nature's way and, therefore, must have the greatest chance of success. (c.34)

He concluded:

We may be right or wrong that the wife-husband married partnership is the best option for the placement of a child in most circumstances, but, again, that is not the issue. The issue is, as I say, choosing between an orthodox family perhaps and none at all. (c.35)

Among speakers disagreeing with the Lords, the primacy of marriage continued to be, if not upheld, then conceded, or at least unquestioned. Andrew Lansley took concessionary issue with marriage-stability claims:

Although I do not disagree [with] the general proposition that married circumstances offer children a better home, success depends on the individual decisions on placement and the characteristics of the home. Given that 95 per cent. of current adoption placements are with married couples, 20 per cent., on average, will end in disruption. (c.40)

Jonathan Shaw, in reply to a question, exposed the Lords' subtext:

Gay people cannot marry. (c.48)

Evan Harris distinguished marriage from the qualities of good parents:

Given the stringent application process and the rigorous assessments that are made on a case-by-case basis, there is no justification for disqualifying a couple from adopting jointly simply because they do not possess a marriage certificate, if they clearly possess all the characteristics that the agency would expect of suitable adoptive parents. (c.51)

Meg Munn affirmed marriage was a voluntary arrangement:

To suggest that people who do not believe in marriage should marry and, therefore, be hypocritical—as in the example the hon. Gentleman cites—would fundamentally undermine the trust relationship at the beginning of the process. (c.52)

Evan Harris agreed:

One cannot claim to be supporting marriage by forcing people into it for other motives, whatever our views on the value of marriage. (c.52)

John Bercow hailed David Hinchliffe's commitment to marriage:

He is a champion of marriage and he is practising his commitment to it. I, too, believe in marriage. (c.65)

Dari Taylor conceded the ideal of marriage:

Members are putting to the House their clear committed ideas on married couples and saying that they are the best and the ideal. Nobody denies or doubts that, but often we are not dealing with the best or the ideal. We live with the reality. (c.81)

She lauded the approach of voluntary agencies:

Through innovative and pioneering practice in the Voluntary Adoption Sector over two decades, many excellent placements have been achieved for older children with troubled histories with single carers, who would not previously have been considered suitable for adoptive parenting because of their lone status during a time when marriage was perceived by society as the 'norm'. (c.81)

And she affirmed the rigour of adoption assessment:

The scrutiny of potential adopters does not involve the marriage contract, but, importantly, it is rigorous. It attempts competently to define whether they could produce a stable home and a loving relationship. (c.82)

Kevin Brennan implied unmarried couples were less than ideal:

We are not arguing that adoption by unmarried couples is the ideal, but it is wrong to make the ideal the enemy of the good when we are considering the interests of the child. (c.86)

Hilton Dawson prioritised children's needs:

Whatever well founded principles one has about marriage or Christian principles governing the way that people should live their lives, it cannot be right to put them above the individual needs of children who require placements. (c.91)

Surely we cannot say that any individual child should lose out on the lifetime opportunity of stability and family life because we think that we should put off a decision until we have got the law right, that we should stand on our principles about marriage, or that we should put anything before the needs of individual children. (c.91-2)

In her summary, the Minister, Jacqui Smith was direct:

Some have seen these amendments as an attack on marriage. That is rubbish. (c.95)

For speakers disagreeing with the Lords, believing in marriage and conceding it as ideal defended them against the charge of undermining it. Criticising marriage was politically risky. The prevalence of concessions is significant. Many occur in disclaimers (van Dijk 2008a: 109-10) that either concede the primacy of marriage

while not excluding alternatives, or counterbalance the amendment with factors such as the rigorous assessment of adoption applicants. Together they illustrate the continuing social power of marriage. In addition, seven speakers highlighted their own married credentials. For David Hinchliffe it was a choice:

When I met my wife, we determined to marry; we both chose to marry. I respect the fact that others may not choose the same course of action— (c.25)

For Michael Jabez Foster it was stereotypical:

My wife Rosemary and I have two adopted sons, Damien and Luke, who have been a great joy to us. I hope that we have provided the stability in their lives that stereotype adopters can perhaps best and most easily provide. However, the issue is not who are the best adopters; this is not a competition, but a market. It is a fact that there are young people, many with disabilities and other challenges, who are not easily adoptable in terms of the stereotype husband and wife family, ... (c.34)

For Dari Taylor it was distinct from her commitment to her child:

Would he say that my loving, caring commitment to my child is a consequence of my marriage vows, or that it comes from my being naturally loving and caring, and has nothing to do with those vows at all? (c.49)

For Meg Munn it was incidental to her experience of children needing adoption:

Finally, a lovely group of boys, aged four to 12, smile out at us—Leonard, Thomas, Jamie and William. For 30 seconds I look at them and think, “Wouldn’t it be great to take those four boys home?” If my husband is listening, he will be panicking by now. The children look nice and are smiling out from their photos, but they have all had a difficult start in life. They have experienced rejection and they have behavioural difficulties. They will test the patience of the most loving, caring and resilient person, not because they are bad children or because they want to behave like that, but because of their experiences. (c.60)

For John Bercow it was a forthcoming commitment:

I am—I hope, God willing—soon to demonstrate my commitment to marriage, when in 33 days’ time, here in the House of Commons, I get married. I look forward to the joys of marriage, and I ought to have the humility to put on record my extreme gratitude that I have been lucky enough to find a gracious future wife who has, rather generously, agreed to slow down the process of my inevitable deterioration. That said, and fan of marriage though I am, I do not think that that institution is or should be the centrepiece or defining feature of the debate about adoption. It certainly should not be. (c.65)

Hilton Dawson congratulated John Bercow:

It is appropriate to congratulate him on both his speech and his forthcoming marriage.  
(c.90)

And hailed the length of his own marriage:

I am pleased to point out to the hon. Member for Buckingham [John Bercow], who brought up the subject, that I have been married for much longer than my hon. Friend the Member for Wakefield (Mr. Hinchliffe). By the time of the marriage of the hon. Member for Buckingham, I shall have been married for 29 years. (c.90-1)

Jacqui Smith was dismissive:

My marriage is not made stronger by knowing that the loving, caring and skilled potential parents down the road are prevented from offering a home to a child because they are not married. Marriage is not the strong institution that I believe it to be if it has to be protected by limiting the life chances of vulnerable children. (c.95)

That these speakers were disagreeing with the Lords in a dispute ostensibly about marriage, suggests a contextual advantage in highlighting their personal commitment to it. However, in affirming their marital status, they were also alluding to their heterosexuality. Predictably, the allusions passed without critical attention (Wodak 2007: 214). They suggest speakers' residual unease about leaving their sexuality undefined when, albeit indirectly, defending what had been cast by the press as 'gay adoption'. These allusions further suggest that heterosexuality was becoming less taken for granted if nonetheless preferred.

As Weeks notes:

The emergence of people explicitly declaring their heterosexuality, or straightness, may be a testimony to continuing fear of the other. But it also indicates a growing pluralization of sexual subject positions and identities that requires the articulation of what was hitherto unspoken.  
(Weeks 2011: 82)

The indirectness of these allusions does not undermine Weeks' point. Speakers alluding to their heterosexuality are rare in previously analysed debates which supports its previously more taken-for-granted status.

Significantly, only one speaker who agreed with the Lords, Julian Brazier, felt the need to affirm his married credentials—ironically in a concession to its less than ideal reality:

Nobody would argue that every marriage is perfect. From time to time, my good lady reminds me that my marriage is imperfect. I pay tribute to my wife, who has done 18 years' service—six more than it took me to get my Territorial decoration—for putting up with me. Nobody argues that there are no stable relationships outside marriage. However, the burden of the statistics is overwhelmingly on the side of marriage. (c.75)

Arguments for marriage stability were the mainstay of speakers agreeing with the Lords and were widely supported by often unreferenced or generalised statistics, as in Andrew Selous' early intervention:

What is the hon. Gentleman's response to the statistic that 83 per cent. of cohabitations that do not become marriages break up in 10 years, whereas 60 per cent. of marriages last for life? (c.26)

Jonathan Djanogly invoked pro-marriage organisations:

I am sure that all hon. Members present have received an enormous amount of documentation from any number of organisations that maintains that marriage is the best state for adoptive parents. (c.31)

He conceded alternatives:

I admit that sometimes personal circumstances—perhaps if a strong foster or other relationship already exists—can mean that it is correct that a person, whether single or gay, or an unmarried couple, should be entitled to adopt. (c.31)

But he sidelined same-sex adoption:

Even if it were acceptable that non-marrieds should regularly be able to adopt—which I do not accept—most adopted children will know, by reason of their age, that children normally have parents who are married and not of the same sex. (c.32)

Generalised statistics followed:

Surveys have proved that in such cases children will often keep the identity of their parents a secret, both at school and from their peers. Furthermore, as has been mentioned, couples who cohabit out of marriage are statistically almost twice as likely to separate as those who are married. (c.32)

He did not accept more adoptive parents were needed:

Statistics show that there is no shortage of people who want to adopt. [...] it is a question not of who wants to adopt but of who is acceptable to the professionals. (c.33)

Tim Loughton sought to focus on Social Services bureaucracy:

I want to consider widening the pool, the current obstructions to adoption inherent in the system and the legal implications of moving from marriage as a benchmark in law to a system of flat equality. (c.40-1)

He claimed a majority view on the ideal, yet he conceded:

We all [...] accept that in an ideal world a mother and father figure is best, although not always achievable and not always entirely appropriate when dealing with certain very damaged children. (c.38)

His approach to statistics was initially careful:

I do not want to get bogged down in trading statistics and dubious research. I start from the premise that although marriage is not a dead cert, by all accounts it offers the best probability of a stable home for an adopted child. [...] Furthermore, my remarks are based on the rough premise presented by the figures from the Office for National Statistics: that cohabiting couples are more likely—by whatever margin we care to state—to split up. (c.41)

But then he conjectured:

In this country at the moment there are 11 million married couples. So we need 1,900 couples to adopt one of those children each. [...] That represents 0.17 per cent. of the entire married couples pool in the country at the moment. Indeed, we are not short of new raw material, as 268,000 marriages occurred last year and for once we are seeing a slight increase in the number of people marrying. (c.41)

And affirmed the heterosexuality of marriage:

Once marriage is removed as the benchmark for adoption, there will be no midway compromise. I remind hon. Members that marriage is defined in the European convention on human rights as marriage between a male and a female. (c.45)

Jonathan Djanogly revised a generalised statistic:

No one here queries the statistics that say that the rate of divorce among unmarried couples is significantly—two or three times—higher than among married couples. (c.49)

Julian Brazier was more specific:

A survey that the Office for National Statistics conducted in 1997 says it all for me. The survey showed that a child born 10 years earlier, in 1987, whose parents were married had an 81 per cent. chance of being with parents who remained married in 1997. A child born into an allegedly stable relationship in 1987, whose parents did not get married almost immediately afterwards, had only a 15 per cent. chance of being with parents who remained in a stable relationship 10 years later. (cc.75-6)

He added:

The idea that the views of a specific social worker on a relationship are so powerful that such statistics can be brushed aside in the best interests of the child is unconvincing. (c.76)

But his insistence on marriage clearly sidelined same-sex couples:

We have civil law marriages in this country and, as the hon. Member for Wakefield said, the vast majority of cases involve *heterosexual* couples. We simply ask, if both individuals want to have legal ties to the child, is it so much to expect them to make a binding legal tie to each other? A civil marriage contract is simply that. (c.76)

He went on assert:

A moment ago, I gave the statistics for heterosexual couples. [...] The argument that I applied to heterosexual couples applies in spades to homosexual couples. Their partnerships last a much shorter time than those of heterosexual couples. Before my hon. Friend says that he can point to individual cases of long-lasting relationships, I accept that there are a few. However, we are dealing with a relatively small pool about which not many statistics are available. (c.76)

Then he defensively insisted:

My point is about splitting up rather than homosexual adoption. (c.77)

Andrew Selous sought to defend statistics, then generalised:

We know that the average length of cohabitation is only two years. We know that 83 per cent. of cohabitations will break up within 10 years. I am sure that everybody— married couples, unmarried couples or same-sex couples—starts their relationship hoping that it will be permanent. [...] However, we know from the statistics and the evidence, which we are not here to dispute tonight, that married relationships provide the most permanent form of security, and that is what we are concerned about for adopted children. (c.88)

He became more emotive:



I think that my argument is backed up by the fact that cohabiting couples are, sadly, six and a half times more likely than married couples to split up after the birth of a child. I am concerned about permanence and continuing stability for these very damaged children.  
(c.88)

And he concluded:

We need a positive campaign to persuade more married couples to adopt. We need to remove some of the procedures. [...] We should take away unnecessary barriers to adoption. (c.90)

This was ironic when removing a barrier was the amendment's purpose.

Interestingly, speakers agreeing with the Lords made no accusations of undermining marriage. Their concessions to alternative adoption arrangements are also notable. As they were not challenging the pre-amendment status-quo, even though it did not exclude lesbian and gay individuals as adoptive parents, they needed to acknowledge alternatives in order to be coherent. However, their defence of heterosexuality via their upholding of marriage is clear.

Speakers disagreeing with the Lords challenged the relationship statistics on the basis of mismatched samples and irrelevance:

The first point to make, which has been made clear by statisticians and others who have done research in this area, is that we are not comparing like with like. People who do not believe that they will remain with their partner for a lifetime are more likely to be in the [unmarried group]. That does not mean that all the people in the unmarried group do not have the same commitment as many of those in the married group.  
(Evan Harris c.53)

This is not about statistics. It is not about the number of relationships that break down or the number of people who live in gay relationships and how long they have been together. It is about matching children to homes.  
(Meg Munn c.61)

It may well be valid as a general proposition, as the statistical evidence adduced would appear to suggest, that married couples' relationships are longer lasting and more stable than those of unmarried couples. However, it seems a non sequitur to generalise from those statistics when we are dealing, and when we know that we are dealing, in the context of a debate about adoption, with a specific and self-selecting group of cohabiting people ...  
(John Bercow c.68)

The statistics that opponents of the motion are advancing are deeply flawed, because they are not comparing the right samples. They are considering only the generality of statistics on unmarried couples. They are not looking at the unmarried couples who are putting themselves forward as adopters.

(Kevin Brennan c.87)

The hon. Gentleman mentions statistics. Is it not the case that many cohabiting couples have no intention of remaining together and have no children to care for? It is therefore misleading to compare them with married couples, ...

(Michael Jabez Foster c.88)

Jacqui Smith agreed:

The overall statistics are not, therefore, a helpful guide. People who are in casual, short-term relationships are most unlikely to put themselves forward as prospective adopters, and if they did, they would certainly not advance beyond the first stage of the approval process. (c.95)

In concluding the debate, she failed to see how enabling an adopted child to have a legal relationship with both parents undermined stability. She presented the choice as one between real-life and ideals:

This debate is about making difficult but fundamental choices for children. It is about whether our adoption system should be based on the needs of individual children and families or on dogma backed up by dodgy statistics. It is about whether we focus on the reality of modern children and families or on outdated visions of a supposedly perfect family life. It is about whether more children are adopted or whether they end up staying in care. (c.96)

She agreed it was a difficult issue, but the Government had said it would listen and that was why the reforms were being introduced—at which point the vote was called.

Amid emotive appeals, children's best interests were sacrosanct. Phrases such as 'languishing in care' and 'damaged children' recurred. No-one suggested improving institutional care; only Hilton Dawson acknowledged the value of the whole care system. No-one defined good parenting; only Liz Blackman repeatedly stressed 'good quality parents'. For pro-reform speakers, suitable parents were rigorously assessed. For anti-reform speakers, suitable parents were married and

by proxy heterosexual. Pro-reform speakers linked their generally more reasoned arguments to real-life examples, but variously conceded the ideal of marriage. Thus the institution of marriage remained unquestioned and the status of heterosexuality protected.

The proposal to disagree with the Lords was carried by 344 to 145 votes. Eight Conservatives voted against their party whip; 35 Conservatives abstained. The next day's press portrayed the Conservative rebellion as an attack on Iain Duncan Smith's leadership (Blackman/Eastham/Jones/Watt/Waugh & Woolf/Webster & Hurst 5.11.2002). The 'gay adoption' theme that had dominated reports since May was almost forgotten in the rush to speculate on his survival. Yet adoption by same-sex couples was the subtext of the debate.

The Lords accepted the change, but the composition of the House differed (5.11.2002 cc.569-624). While 358 Lords had voted on 16.10.2002, 399 did so on 5.11.2002. Of Lords supporting the Commons, 86.4% voted on both occasions, but only 69.4% of the Lords who had supported Earl Howe did so, five of whom changed their vote.

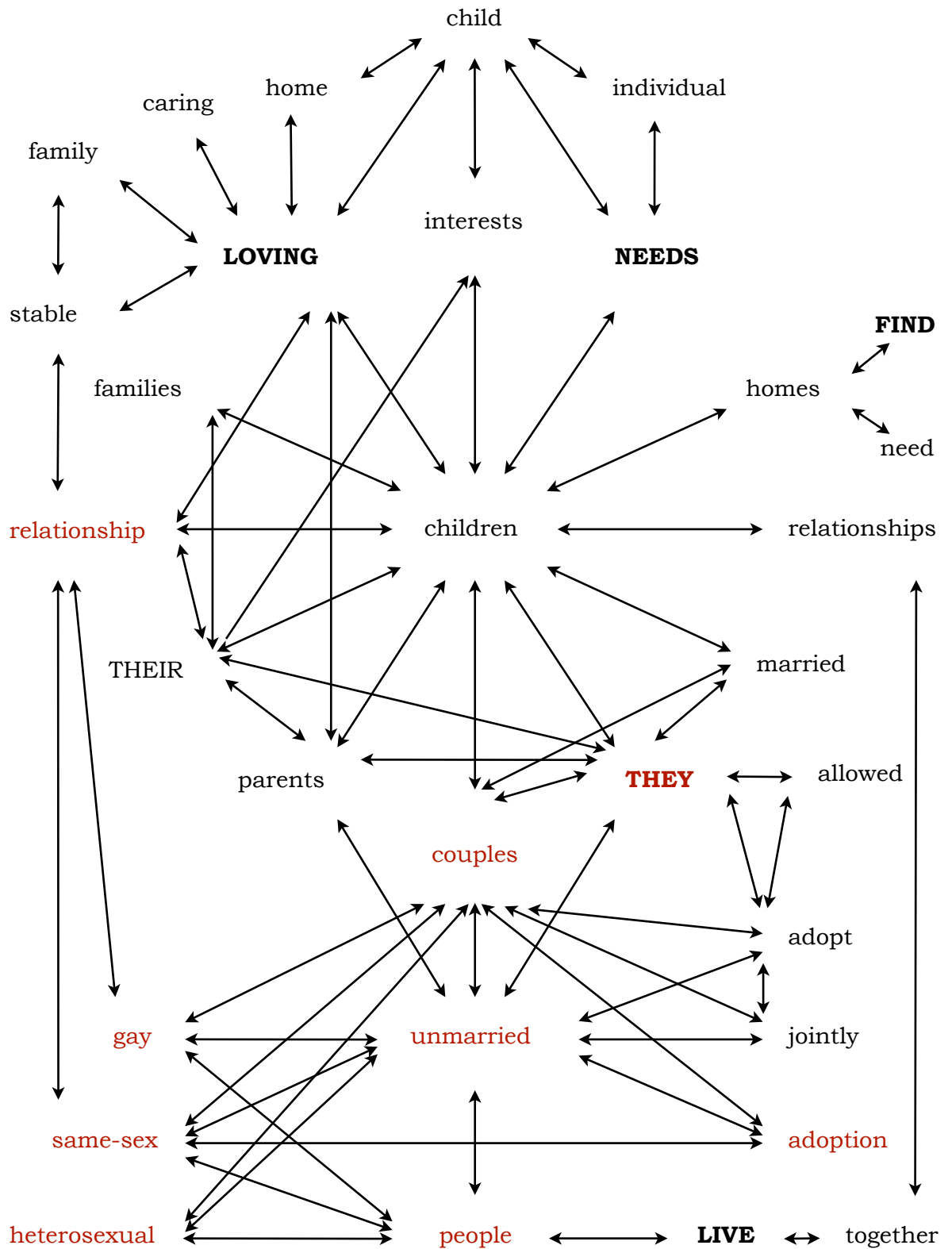
### **Words and Themes**

The following analyses focus on each side's top-ten keywords (Appendices 53 & 54) and their collocates (Appendices 55 & 56). Core features of each side's contributions to the debate are shown on Flowcharts 7 and 8 below.

\*   \*   \*

The pro-reform keywords (Appendix 54) on Flowchart 7 are peripheral. It is the recurring keyword collocates (Appendix 56) *children* and *unmarried* that are pivotal. The keywords and collocates in the upper part of the chart relate to arguments on behalf of *children* needing adoption; those in the lower part relate to arguments about who can apply to adopt.

Flowchart 7: Pro-reform Keyword and Collocate Network



key: **BOLD CAPITALS**: keywords in the top ten

**BLACK CAPITALS**: keywords

**RED CAPITALS**: sexuality-term keywords and keywords collocating with sexuality terms

black lower case: keyword collocates

red lower case: sexuality terms and sexuality-term collocates

Of the 242 concordance lines for *children* (Appendix 57A), 219 refer to *children* in care. Of these, 45 lines profile the *children*, for example:

50	pool, we need to consider the sort of children for whom they are required come for	JSh 4.11pro.txt
56	ldren, we must recognise that those children are difficult boys, who have been ph	JSh 4.11pro.txt
64	o whom I referred earlier—the older children who were abused and who manifest	JSh 4.11pro.txt
87	ok, every month, at the faces of the children in this magazine because every chil	MM 4.11pro.txt
91	uren, seven. Now we move on to the children who are very hard to place, not nece	MM 4.11pro.txt
95	very child, but particularly for older children, a thorough assessment is needed of	MM 4.11pro.txt
142	s. In particular, those hard-to-place children are very likely to be those with beha	JB 4.11pro.txt
154	nd loving context. The longer those children stay in children's homes, the longer	LB 4.11pro.txt
161	ly babies any more, but challenging children, many of whom have special needs.	LB 4.11pro.txt
163	e system that offers many damaged children a real opportunity and a real chanc	LB 4.11pro.txt
168	age them to accept that many such children have histories—seriously damaged	DT 4.11pro.txt
172	one care worker has to look after 15 children who all need help and attention. Ho	DT 4.11pro.txt
180	ments have been achieved for older children with troubled histories with single c	DT 4.11pro.txt

These lines were spoken mostly by MPs who had worked in social services or children's homes. A further 22 lines focus on the number of *children* in care and/or awaiting adoption, for example:

4	families. We know that about 5,000 children are in homes awaiting adoptive plac	DH 4.11pro.txt
34	should change positively for the 25 children in the area who are waiting to find a	AL 4.11pro.txt
52	t 1,255 inquiries were made for 430 children in the March 2002 issue of Be My P	JSh 4.11pro.txt
53	e of Be My Parent. However, for 129 children, there was not a single inquirer. Tho	JSh 4.11pro.txt
76	ed for 20 children—harder-to-place children—came from single people; and that e	EH 4.11pro.txt
127	we have heard, but there are 5,000 children waiting for adoptive homes—not 5,0	MM 4.11pro.txt
134	, no fewer than 129 of the 430 were children in respect of whom no inquiries wer	JB 4.11pro.txt
152	s. It has been suggested that 5,000 children are in care. That number could even	LB 4.11pro.txt
177	plain fact is that, every year, 2,000 children live the reality of that statement—th	DT 4.11pro.txt
207	care, but there are actually 55,000 children in care. Most of them will go back t	HD 4.11pro.txt
222	om care is increasing. Nearly 3,100 children were adopted from care last year—1	JSm 4.11pro.txt

Twenty-two more lines highlight *children's best interests*, for example:

13	dments secure the best interests of children by acknowledging that in some circ	DH 4.11pro.txt
44	sts of stability or the best future for children?	HD 4.11pro.txt
68	ng-term best interests of individual children". The amendment does not seem to	EH 4.11pro.txt
83	endments—for the best interests of children and in the interests of non-discrimi	EH 4.11pro.txt
189	n the same context. If it is true that children's best interests should be paramou	AL 4.11pro.txt
194	f we are now to be concerned about children's interests throughout their lives, by	AL 4.11pro.txt
219	al principle, which derives from the Children Act 1989, is enshrined, as my hon.	JSm 4.11pro.txt
232	nger be compatible with the right of children to have their best interests treated a	EH 4.11pro.txt
233	is not acting in the best interests of children. One can, however, assess each pro	JSm 4.11pro.txt

This category also extends to 14/122 lines for *child* (Appendix 57B), for example:

24	again. Is that in the interests of the child? Of course it is not.	JSh 4.11pro.txt
36	em to make the best interests of the child the paramount consideration, as requir	EH 4.11pro.txt
55	ny, contact is in the interests of the child. For some children, the right decision i	MM 4.11pro.txt
86	ildren Act 1975, the interests of the child will be safeguarded and promoted, in te	JB 4.11pro.txt
102	ions convention on the rights of the child—it follows logically that if by extending	AL 4.11pro.txt
113	are considering the interests of the child.	KB 4.11pro.txt
117	e what is in the best interests of the child. That fundamental principle, which der	JSm 4.11pro.txt

The *interests* are unspecified. This concurs with the argument that *children's interests* were individually assessed, but rests on the core premise that adoption is better than care. Children's *NEEDS* account for 19 more lines, for example:

26	the paramouncy of the needs of the children.	LB 4.11pro.txt
42	ters who are interested in taking on children who desperately need homes?	MM 4.11pro.txt
43	ect his commitment to the needs of children, but how can he argue that it is desi	HD 4.11pro.txt
46	asting, permanent, loving homes for children.	AL 4.11pro.txt
47	ple trying to find adoptive homes for children should seek out the best home that	MM 4.11pro.txt
70	em. We are talking about particular children with particular needs. I shall come i	EH 4.11pro.txt
113	s to stop people adopting. There are children who need to be adopted. The social	MM 4.11pro.txt
212	We are talking about the needs of children. This is a matter of conscience. Me	HD 4.11pro.txt
217	thing before the needs of individual children. My vote tonight is with the children	HD 4.11pro.txt

The keyword *NEEDS* also features in nine lines for *child*, for example:

18	st possible opportunity because the child's needs are paramount. That principle	JSh 4.11pro.txt
29	ticular couple meet the needs of the child, and the child's needs are paramount.	JSh 4.11pro.txt
62	ilies and want a couple who meet a child's needs.	MM 4.11pro.txt
66	important to match the needs of the child with a family.	MM 4.11pro.txt

As with *interests*, the *child's/children's NEEDS* are largely unspecified. The only specific *NEEDS* identified in the co-text are for adoptive placements (2 lines) and *homes* (4 lines). This lack of specification is also evident in the 24/28 lines for *NEEDS* (Appendix 57) which pertain to *child(ren)*. While this too concurs with the argument for individual assessment, it also suggests that the nature of *children's NEEDS* was taken for granted (van Dijk 2008a: 170-1) and therefore within an assumed social hierarchy of values (Voloshinov 1986: 123). The emotive focus is on the importance of meeting the *NEEDS*, for example:

1	ld recognise the paramouncy of the	needs of the children.	LB 4.11.pro.txt
4	ible opportunity because the child's	needs are paramount. That principle underpi	JSh 4.11.pro.txt
6	e needs of the child, and the child's	needs are paramount.	JSh 4.11.pro.txt
12	d want a couple who meet a child's	needs.	MM 4.11.pro.txt
16	upport. It is important to match the	needs of the child with a family.	MM 4.11.pro.txt
17	July 2000. He is vulnerable and he	needs help now. I think of the 10-year-old bo	JB 4.11.pro.txt
18	uary 2000. He is vulnerable and he	needs help now. I think, for example, of the b	JB 4.11.pro.txt
23	adopted. We must ensure that the	needs of children who require adoptive place	HD 4.11.pro.txt
25	t we should put anything before the	needs of individual children. My vote tonight	HD 4.11.pro.txt

Emotive appeals on behalf of *children* pervade the lines, most blatantly in a further 19 lines, for example:

49	providing greater opportunities for	children who languish in care. The hon. Me	JSh 4.11pro.txt
137	reat unwanted, discarded, forgotten	children in our society.	JB 4.11pro.txt
143	about abused, neglected and bereft	children who need to be brought up physical	JB 4.11pro.txt
149	ed, bereft, neglected and vulnerable	children, and I am not prepared to pass up a	JB 4.11pro.txt
151	y those who are languishing in local	children's homes, as the hon. Member for Bu	LB 4.11pro.txt
158	ose children hope. That is what the	children try to cling to. My hon. Friend the M	LB 4.11pro.txt
163	e system that offers many damaged	children a real opportunity and a real chanc	LB 4.11pro.txt
175	ly stable and has controls to it. The	children are shunted from one to another an	DT 4.11pro.txt
230	le to offer the stable family life that	children need so much to the five-year-old b	JSm 4.11pro.txt

The evocation of pity in these lines patronises the children. However, the emotive appeal of *LOVING* is more positive, plus 23/28 lines cite specific *NEEDS*:

#### A *LOVING* home:

2	es irrelevant; all that they want is a	loving home. It would not matter if the adopt	DH 4.11.pro.txt
4	e ability to find lasting, permanent,	loving homes for children.	AL 4.11.pro.txt
12	at every adult who is able to offer a	loving home to a child should be allowed to d	MM 4.11.pro.txt
13	icular child, that child could have a	loving home that they might not otherwise fi	MM 4.11.pro.txt
14	e that every child has the right to a	loving, permanent home. We do not achieve t	MM 4.11.pro.txt
16	ers have said, to take on and give a	loving home to children in a different categor	JB 4.11.pro.txt
17	ill be between the offer of a decent,	loving, stable and committed home headed b	JB 4.11.pro.txt
19	in your life who provide you with a	loving, caring home. You are allowed only on	LB 4.11.pro.txt
20	ents produce wonderful, secure and	loving homes for children through adoption.	LB 4.11.pro.txt
25	amendment will help to achieve the	loving home longed for by thousands of child	DT 4.11.pro.txt

#### A *LOVING* relationship:

1	t the hon. Gentleman agrees that a	loving, stable relationship is required. Does	MF 4.11.pro.txt
5	such children the opportunity for a	loving, stable relationship.	JSh 4.11.pro.txt
23	on earth can we conclude that the	loving relationship that produces a well-bala	DT 4.11.pro.txt
24	could produce a stable home and a	loving relationship. That is what we are here	DT 4.11.pro.txt
26	sed to be in a long-term, stable and	loving relationship. That leaves the opponent	KB 4.11.pro.txt

*A LOVING family:*

3	lue or green; those children want a loving family environment. That is where we	DH 4.11.pro.txt
6	ldren's right to an opportunity for a loving family. No Labour Member who suppo	JSh 4.11.pro.txt
11	ldren I have spoken about to have a loving family. Whether that is provided by a	JSh 4.11.pro.txt
22	children an opportunity to live in a loving, stable family.	DT 4.11.pro.txt
27	gh adoption to grow up as part of a loving, stable and permanent family, and ther	JSm 4.11.pro.txt

*LOVING parents:*

21	et additional prospective caring and loving parents into the system that offers ma	LB 4.11.pro.txt
28	made stronger by knowing that the loving, caring and skilled potential parents d	JSm 4.11.pro.txt

*A LOVING context:*

18	s a child without a safe, secure and loving context. The longer those children sta	LB 4.11.pro.txt
----	--	-----------------

The frequency of *children/child*, *NEEDS* and *LOVING* in emotive appeals illustrates the social power of values attached to children. As van Dijk (2006c: 375) argues, appeals to “fundamental norms, values and ideologies that cannot be denied or ignored” are a key feature of manipulative discourse. The focus on children was pro-reform speakers’ main means of gaining support. That they needed such a strategy in turn illustrates the social power of values linked to marriage and heterosexual parenting that the amendment impinged upon and that Labour had been accused of undermining.

*Children* are also the referents in 33/164 lines for the top keyword *THEY* (Appendix 57), and 27/88 lines for *THEIR* (Appendix 57C). Many of the reports in these lines, like those in the lines for *children*, are generalised, or ‘pictorial’, and thus infiltrated by the speaker’s view (Voloshinov 1986: 120-1). However, as the pronouns refer to the ‘already spoken’, they suggest speakers were following up their statements about *children* with further details. Meg Munn (*THEY* 57-65; *THEIR* 46-49) and John Bercow (*THEY* 98-104) especially, gave detailed accounts of *children* awaiting adoption.

The lower half of Flowchart 7 concerns prospective adopters. *Unmarried* and *couples* are recurring collocates (Appendices 56D/56E) and thus pivotal. The



adjective-noun applications in the lines for these two terms (Appendices 57D/57E) make an interesting comparison:

NOUNS to which <i>unmarried</i> applies	ADJECTIVES applying to <i>couples</i>
<i>unmarried couples</i> (39 lines)	<i>unmarried couples</i> (36 lines)
<i>unmarried couple</i> (5 lines)	<i>married couples</i> (22 lines)
<i>unmarried PARTNERS</i> (5 lines)	<i>same-sex couples</i> (16 lines)
<i>unmarried people</i> (4 lines)	<i>gay couples</i> (3 lines)
<i>unmarried parents</i> (3 lines)	<i>cohabiting couples</i> (2 lines)
<i>unmarried applicants</i> (2 lines)	<i>cohabiting and unmarried couples</i> (1 line)
<i>unmarried alliances</i> (1 line)	<i>gay male couples</i> (1 line)
<i>unmarried and cohabiting couple</i> (1 line)	<i>heterosexual couples</i> (1 line)
<i>unmarried and same-sex couples</i> (1 line)	<i>heterosexual unmarried couples</i> (1 line)
<i>unmarried foster couple</i> (1 line)	<i>lesbian couples</i> (1 line)
<i>unmarried gay couples</i> (1 line)	<i>mixed-sex couples</i> (1 line)
<i>unmarried group</i> (1 line)	<i>same-sex and unmarried couples</i> (1 line)
<i>unmarried heterosexual couples</i> (1 line)	<i>same-sex unmarried couples</i> (1 line)
<i>unmarried or gay parents</i> (1 line)	<i>young couples</i> (1 line)
<i>unmarried or same-sex couples</i> (1 line)	
<i>unmarried or same-sex unmarried couples</i> (1 line)	
<i>unmarried partner</i> (1 line)	
<i>unmarried relationship</i> (1 line)	
<i>unmarried relationships</i> (1 line)	

The differentiation of sexualities in the applications of *unmarried* shows it was not necessarily seen as an inclusive category, but most uses are undifferentiated. This raises the question of the extent to which *unmarried* was deployed to avoid controversy in that it could rest on assumptions of heterosexuality at a time when gay people could not marry. The relatively few lines for same-sex couples and fewer for lesbian or gay couples suggest strategic deployment. Plus *THEY* is the only keyword on the flow-chart that collocates with a sexuality term (*gay*), but in only four lines. Yet *THEY* refers neutrally to prospective adopters in 32 lines and to *unmarried couples* in 22 lines (Appendix 57). This circumvention of prospective adopters' sexuality leaves the homophobic beliefs mobilised in the press and the Lords under the banner of marriage unchallenged.

Pro-reform speakers' support for marriage and emotive appeals on behalf of children addressed the Lords knowing they would read the Hansard report.

The Government needed the Lords to accept the amendment before the Bill ran out of parliamentary time; it could not risk losing the Bill. The strength of this need was tangentially related to lesbian and gay adopters. Only at the very end of the debate (c.94), and only in response to a question from Evan Harris, did it emerge that the Government was aware of the relevance of developing case law to the Human Rights Act. An ECtHR case (*Frette v France* 26.02.2002), while ruling against the gay applicant, had accepted that Articles 8 and 14 of the ECvHR were relevant to adoption applicants. A South African case (*du Toit and de Vos v the Minister for Welfare* 10.9.2002) invoked the UN Convention on the Rights of the Child in ruling for the women. The JCHR had revised its view of the Bill in October 2002. To have passed a Bill in potential conflict with the Human Rights Act would have lost the Government credibility, yet it was an argument they chose not to make. They had to get the Bill past the Lords, sections of which had fiercely opposed the Human Rights Bill on religious grounds.

\* \* \*

The top anti-reform keyword is # (Appendix 53), which refers to numbers and relates to the statistics, quantities and dates cited. As # cannot be used as a search term its collocates and concordance lines cannot be compiled, thus it is absent from Flowchart 8. However, collocates of related terms (Appendix 55A) show # links mostly to *children*, *married* and *couples*, while the related lines (Appendix 58A) suggest it applies more specifically to:

Children in care or adopted	Potential adopters	Relationship breakdowns
<i>000</i> (8 lines)	<i>million</i> (8 lines)	<i>years</i> (6 lines)
<i>year</i> (7 lines)	<i>number</i> (5 lines)	<i>numbers</i> (5 lines)
<i>per cent</i> (3 lines)	<i>per cent</i> (4 lines)	<i>per cent</i> (5 lines)
<i>thousands</i> (3 lines)	<i>numbers</i> (3 lines)	specific years (4 lines)
<i>years</i> (2 lines)	<i>000</i> (1 line)	<i>year</i> (1 line)
	<i>years</i> (1 line)	

Statistics, quantities and dates relating to these categories were used to bolster anti-reform arguments (Appendices 58C, 58D, 58E).

On Flowchart 8, the keyword *ADOPTION* is pivotal. The top left of the chart relates to arguments for children's best interests and the top right to criticisms of the *ADOPTION* services. The lower part relates to *ADOPTION* applicants. However, the largest category of argument concerns the process of the amendment which accounts for 34/82 lines (Appendix 58), of which 14 occur in criticisms of the Government and highlight some Ministers' initial opposition to the deletion of 'married', for example:

19	single ancillary issue of unmarried adoption, which now threatens to wreck the	TL 4.11anti.txt
20	second Reading, the Prime Minister's adoption review, the White Paper on adoption	TL 4.11anti.txt
21	adoption review, the White Paper on adoption or a Government manifesto commit	TL 4.11anti.txt
30	the Special Standing Committee: The adoption law review, when considering this i	TL 4.11anti.txt
31	ring this issue, concluded that joint adoption should remain limited to married c	TL 4.11anti.txt
32	married couples on the grounds that adoption by a married couple was more likel	TL 4.11anti.txt
45	ear, the Minister said in Committee: Adoption by unmarried couples would raise s	TL 4.11anti.txt
46	amendments to the Bill would mean that adoption has been singled out to be fast-trac	TL 4.11anti.txt
47	compatibility of the status quo, whereby adoption is available only to married couples	TL 4.11anti.txt

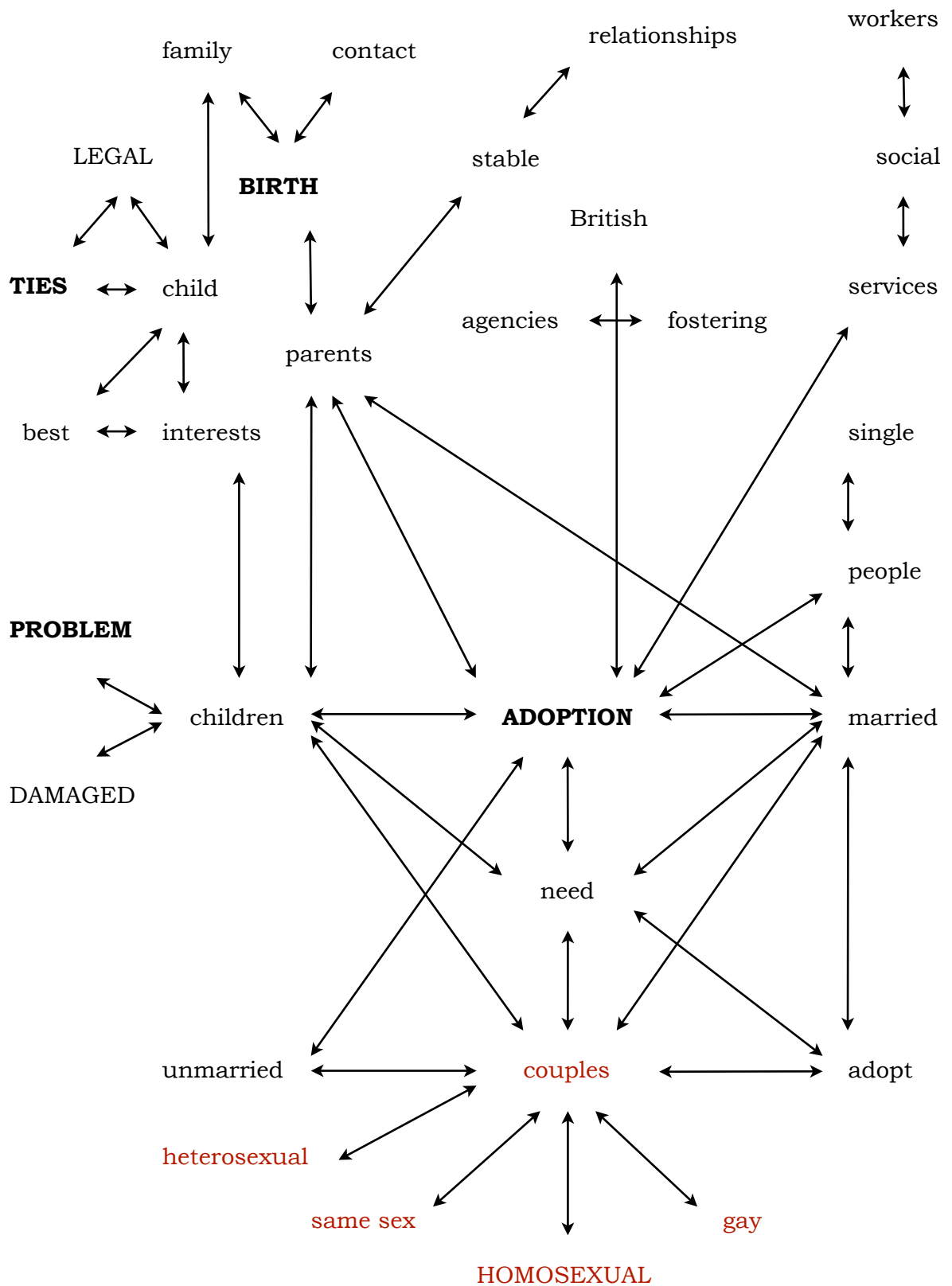
Seven more lines in this category occur in arguments claiming the amendment contravened existing laws and conventions:

22	married and single people qualifying for adoption, as set down in the 1967 conventio	TL 4.11anti.txt
23	under which we are still a signatory and the Adoption Act 1976. It is already permissible f	TL 4.11anti.txt
25	contravene the 1967 convention on adoption. The Government have given no sig	TL 4.11anti.txt
49	of the European convention on the adoption of children, which was agreed to in	TL 4.11anti.txt
50	the case is removed as the benchmark for adoption, there will be no midway compromi	TL 4.11anti.txt
54	and that right may be violated if an adoption order is granted to two parents of t	TL 4.11anti.txt
55	adoption reforms, and improvements of, adoption that are represented by an excellen	TL 4.11anti.txt

Seven more occur in arguments claiming the amendment would not increase the number of prospective adopters or the number of adoptions:

2	I believe that the proposals to allow adoption by unmarried parents give the wron	JD 4.11anti.txt
3	assurance that more children in need of adoption are adopted.	JD 4.11anti.txt
5	I appreciate that, but the incidence of adoption by such people is relatively small. I	JD 4.11anti.txt
9	as the Minister for Wakefield said, non-married adoption is necessary to encourage adoptive	JD 4.11anti.txt
10	parents to come forward and broaden the adoption pool. It could be argued that the pr	JD 4.11anti.txt
58	proposals will not extend the possibility for adoption to any household anywhere in the c	JB 4.11anti.txt
73	technicality involving a one-person adoption in a two-person home. They would	JB 4.11anti.txt

Flowchart 8: Anti-reform Keyword and Collocate Network



key: **BOLD CAPITALS:** keywords in the top ten

**BLACK CAPITALS:** keywords

**RED CAPITALS:** sexuality-term keywords and keywords collocating with sexuality terms

black lower case: keyword collocates

red lower case: sexuality terms and sexuality-term collocates

The other main category of argument is criticism of the *ADOPTION* services, which accounts for 22 lines, for example:

4	n who can adopt, but our culture of adoption. It is a question not of discrimination	JD 4.11anti.txt
6	e advice of professionals working in adoption as the be all and end all of what is r	JD 4.11anti.txt
12	the pool. We need a new culture of adoption. We need a culture that insists on c	JD 4.11anti.txt
14	When the BBC ran a programme on adoption, there were 19,000 inquiries during	JD 4.11anti.txt
15	failed to achieve even a 1 per cent. adoption rate for children in care.	JD 4.11anti.txt
37	I want to consider obstructions to adoption and why more people are not comin	TL 4.11anti.txt
39	s for Adoption and Fostering during adoption week in 1999 stated: The most freq	TL 4.11anti.txt
40	ation also noted a big differential in adoption rates around the country—ranging	TL 4.11anti.txt
41	ent local authorities. It is clear that adoption is a relatively small-scale activity in	TL 4.11anti.txt
43	roduced by the British Agencies for Adoption and Fostering, and features childre	TL 4.11anti.txt
68	That was the British Association for Adoption and Fostering, which wanted to ent	JB 4.11anti.txt
74	ments from the British Agencies for Adoption and Fostering that apparently prej	JB 4.11anti.txt
82	take away unnecessary barriers to adoption. That is how we shall extend the po	AS 4.11anti.txt

Specific ‘obstructions’ to *ADOPTION* were seen as the policy of ethnic matching and provisions for some children to have *BIRTH* family contact. That these were seen as ‘obstructions’ rather than considerations of a child’s needs, undermines speakers’ claims to be prioritising children’s interests. In addition, speakers’ repeated references to *DAMAGED* or *PROBLEM children* (Appendices 55E & 58E) distances and objectifies them. The few case histories cited by Tim Loughton and Julian Brazier were examples of ‘obstructive’ adoption requirements or failed adoptions, which suggest that the children themselves were less important than undermining the judgments of the *ADOPTION* services. The BAAF came in for particular criticism as the umbrella organisation for adoption agencies whose evidence to the Committee had informed the decision to delete ‘married’. Equally tendentious was the claim that it was in children’s interests for prospective adopters to have *LEGAL TIES* to each other when there was no legal partnership provision for same-sex couples. Arguments against *ADOPTION* by same-sex couples were indirect; sexuality is indicated in only 6/82 lines.

The lower part of Flowchart 8 concerns prospective adopters. Although *unmarried* has no sexuality term collocates (Appendix 55B), the adjective-noun

applications of *unmarried* and *couples* (Appendices 58B & 58D) show that sexualities were differentiated:

NOUNS to which <i>unmarried</i> applies	ADJECTIVES applying to <i>couples</i>
<i>unmarried couples</i> (20 lines)	<i>married couples</i> (20 lines)
<i>unmarried adopters</i> (3 lines)	<i>unmarried couples</i> (20 lines)
<i>unmarried couple</i> (2 lines)	<i>heterosexual couples</i> (5 lines)
<i>unmarried relationship</i> (2 lines)	<i>HOMOSEXUAL couples</i> (4 lines)
<i>unmarried ADOPTION</i> (1 line)	<i>same-sex couples</i> (4 lines)
<i>unmarried couples, opposite or, same sex</i> (1 line)	<i>cohabiting couples</i> (2 lines)
<i>unmarried couples, gay or otherwise</i> (1 line)	<i>couples of the same sex</i> (1 line)
<i>unmarried couples of different sexes</i> (1 line)	<i>couples who cohabit out of marriage</i> (1 line)
<i>unmarried couples of whatever description</i> (1 line)	<i>non-married couples</i> (1 line)
<i>unmarried couples and same-sex couples</i> (1 line)	<i>same-sex and non-married couples</i> (1 line)
<i>unmarried couples or same-sex couples</i> (1 line)	<i>gay couples</i> (1 line)
<i>unmarried people and HOMOSEXUAL couples</i> (1 line)	
<i>unmarried people</i> (1 line)	
<i>unmarried status</i> (1 line)	

The differentiations are proportionately slightly greater than those for pro-reform speakers, which supports an underlying anti-reform concern with sexuality:

Speakers	unqualified uses of <i>unmarried</i>	qualified uses of <i>unmarried</i>	<i>couples'</i> sexuality unidentified	<i>couples'</i> sexuality identified
pro-reform	65/71 (91.5%)	6/71 (8.5%)	40/88 (45.5%)	48/88 (54.5%)
anti-reform	30/37 (81.1%)	7/37 (18.9%)	24/60 (40%)	36/60 (60%)

However, the anti-reform unqualified uses of *unmarried* are still large. Alongside the indirectness of their arguments against *ADOPTION* by same-sex couples, this suggests they were wary of being seen as homophobic and is supported by various disclaimers—denials, transfers or reversals (van Dijk 2008a: 109-10):

The problem is not the type of person who can adopt, but our culture of adoption. It is a question not of discrimination against unmarried couples, be they opposite or, indeed, same sex, but of what is best for the child.  
(Jonathan Djanogly c.31)

We need a culture that insists on clinics for adoption as much as on clinics for abortion; that does not discriminate against white parents adopting black children; that stops patronising and blocking the efforts of decent prospective parents; and that does not force them through a system that often demeans and intimidates them and delays applications.  
(Jonathan Djanogly c.33)

Like the hon. Gentleman, I wholly abhor any form of homophobia; I want no truck with that. However, a Department of Health-funded study found that the average length of a close[d] homosexual relationship is only 21 months. Is not that deeply worrying as regards the lifetime of commitment needed for a damaged child?

(Andrew Selous c.34)

I have never argued for discrimination. We have civil law marriages in this country and, as the hon. Member for Wakefield said, the vast majority of cases involve heterosexual couples. We simply ask, if both individuals want to have legal ties to the child, is it so much to expect them to make a binding legal tie to each other?

(Julian Brazier c.76)

These disclaimers, plus the lack of argument specifically against *ADOPTION* by same-sex couples, suggest speakers were wary of being seen as homophobic. This in turn suggests homophobic beliefs were becoming less acceptable. Yet, as pro-reform speakers concessions to marriage and heterosexual parenting show, the privileged status of heterosexuality remained unquestioned and protected.

Overall, despite their claims to the contrary, anti-reform speakers were more focused on marriage than children:

TERMS	Pro-reform frequency	% debate words	% use of term	Anti-reform frequency	% debate words	% use of term
children('s)+child('s)	242+122=364	70.3%	73.4%	82+50=132	29.7%	26.6%
unmarried+not/non married	71+10=81	70.3%	67.5%	34+5=39	29.7%	32.5%
married-not/non married	61-10=51	70.3%	59.3%	40-5=35	29.7%	40.7%
marriage+marriages	33 +2=35	70.3%	64.8%	15+4=19	29.7%	35.2%
couples+couple	112+40=152	70.3%	66.7%	65+11=76	29.7%	33.3%
relationships+relationship	33+45=78	70.3%	78%	6+16=22	29.7%	22%
partners+partner	12+12=24	70.3%	96%	0+1=1	29.7%	4%
parents+parent	61+34=95	70.3%	69.3%	37+5=42	29.7%	30.7%

key: red text: proportionately more frequent use of terms

While *children* and *child* were most frequently used on both sides of the debate, the anti-reform use was proportionately lower. Their greater use of *unmarried*, *married*, *marriage(s)* and *couple(s)* supports their concern with marital status, which functioned euphemistically to exclude same-sex parents. By contrast, pro-reform speakers' greater use of *relationship(s)* and *PARTNERS/partner* supports their concern with relationship quality.

### Views of Sexuality

The frequencies of terms related to sexuality are remarkably low on both sides of this debate, the more so given its great length.

Adjectives and Adverbs	Abstract Nouns	Nouns for People
<i>same-sex</i>	<i>homosexuality</i>	<i>homosexuals</i>
<i>of the same sex</i>	<i>sexuality</i>	<i>heterosexuals</i>
<i>mixed-sex</i>	<i>sexual orientation</i>	<i>lesbians</i>
<i>of different sex</i>	<i>sex</i> (in reference to sexual acts)	<i>gays</i>
<i>of different sexes</i>	<i>homophobia</i>	
<i>opposite-sex</i>		
<i>single-sex</i>		
<i>gay</i>		
<i>lesbian</i>		
<i>heterosexual</i>		
<i>homosexual</i>		
<i>sexual</i> (excluding orientation)		
<i>sexually</i>		

Pro-reform speakers used 21/22 terms, none of which are keywords, although both *same-sex* and *gay* are proportionately salient. Anti-reform speakers used 10/22 terms, of which *HOMOSEXUAL* is a keyword. Adjectives were the most widely used category by far and are the main focus of analysis. The terms are investigated via their collocates (Appendices 59 & 61) and concordance lines (Appendices 60 & 62).

\*   \*   \*

*Same-sex* was the most used adjective overall and marks a shift from sexuality identifiers to gender-aligned terms, along with the less used: *of the same sex*, *mixed-sex*, *of different sex*, *of different sexes*, *opposite-sex*, and *single-sex*. These gender-aligned terms were used proportionately more often by pro-reform speakers, which concurs with their circumvention of prospective adopters' sexuality as the most contentious issue.



ADJECTIVES AND ADVERBS	Total Uses	Pro-reform Uses	Pro-reform % Debate Words	Anti-reform Uses	Anti-reform % Debate Words
same-sex	39	31/39 (79.5% total) 8/31 (25.8% uses)	70.3%	8/39 (20.5% total) 5/8 (62.5% uses)	29.7%
of the same sex	7	2/7 (28.6% total)	70.3%	5/7 (71.4% total)	29.7%
mixed-sex	2	2/2 (100% total)	70.3%		29.7%
of different sex	1	1/1 (100% total)	70.3%		29.7%
of different sexes	1		70.3%	1/1 (100% total)	29.7%
opposite-sex	1	1/1 (100% total) 1/1 (100% uses)	70.3%		29.7%
single-sex	1	1/1 (100% total)	70.3%		29.7%
gay	30	24/30 (80% total) 10/24 (41.7% uses)	70.3%	6/30 (20% total) 3/6 (50% uses)	29.7%
lesbian	4	3/4 (75% total)	70.3%	1/4 (25% total)	29.7%
heterosexual	14	7/14 (50% total) 1/7 (14.3% uses)	70.3%	7/14 (50% total) 3/7 (42.9% uses)	29.7%
homosexual	13	3/13 (23.1% total) 1/3 (33.3% uses)	70.3%	10/13 (76.9% total) 4/10 (40% uses)	29.7%
sexual (excluding orientation)	2	2/2 (100% total) 1/2 (50% uses)	70.3%		29.7%
sexually	2	2/2 (100% total) 2/2 (100% uses)	70.3%		29.7%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use  
**bold red text**: keyword

The pro-reform lines for the gender-aligned adjectives (Appendix 60) show the nouns to which they apply:

same-sex	<i>couples</i> (18 lines) <i>couple</i> (3 lines) <i>relationship</i> (3 lines)	<i>adoptions</i> (2 lines) <i>adopters</i> (1 line) <i>adoption</i> (1 line)	<i>parenting</i> (1 line) <i>partner</i> (1 line) <i>relationships</i> (1 line)
of the same sex	<i>people</i> (2 lines)		
mixed-sex	<i>adopters</i> (1 line)	<i>couples</i> (1 line)	
opposite-sex	<i>couple</i> (1 line)		
single-sex	<i>couple</i> (1 line)		
of different sex	<i>people</i> (1 line)		

*Couples*, *adoption*, *people* and *relationship* are collocates of *same-sex* (Appendix 59). Over half the lines occur in concessions. Andrew Lansley especially, retained doubts about extending adoption to *same-sex* couples:

In British society today it is a normal outcome for a child to be in a relationship with two adoptive parents who are a man and a woman living together, but for a child to have a legal relationship with both partners in a **same-sex** relationship would not normally happen and would happen solely at the behest of adoption legislation. That is my problem with the issue. (c.85)

Same-sex couples, when considering adoption as a possibility, will be aware that in natural circumstances only one of them could be the natural parent. For a same-sex couple to care for a child does not require both of them to be parents, because that is not what occurs naturally. (c.85)

He also claimed:

For example, if a woman has a child and then enters a same-sex relationship, she would not expect her partner to be the mother of that child. We are talking about normal circumstances. (c.85)

His claim rests on a string of assumptions: that heterosexual norms apply to lesbians; that the children of lesbians are necessarily the result of heterosexual relationships; that ‘mother’ is a biological relationship rather than an activity undertaken; that lesbians do not make co-parenting commitments with partners, family, or friends. His doubts exemplify pro-reform ambivalence. Two of David Hinchliffe’s lines betray insensitivity as well as ambivalence:

Another concern is that people automatically assume that same-sex adoptions will involve homosexuals or lesbians. I know people of the same sex who live together in long-term relationships and who would be offended if they were called homosexuals or lesbians. (c.27)

His dissociation of *same-sex* from sexuality supports a strategic deployment of *same-sex*. Besides his choice of the clinical *homosexuals*, his presumption of heterosexuals’ offence demeans lesbians and gay men and affirms the status of heterosexuality. His point was also irrelevant. The legislative issue was *couples*: not all people who live together are *couples* and not all *couples* live together.

Similarly, two arguments against the Lords aired homophobic beliefs.

David Hinchliffe aired a pernicious association:

The Lords’ concern over same-sex relationships seems to be underpinned by the idea, which was not mentioned, that same-sex couples somehow present a greater risk of sexual abuse to children than heterosexuals. Having worked in social services for many years, I honestly am not sure that that is how it works out. That is not my experience as one who had to deal with—on few occasions, fortunately—children who had been abused in children’s homes. By and large, that abuse was heterosexual. (c.28)

In fact, sexual abuse was mentioned (HL 16.10.2002): Lord Alli queried its implication (c.875), Lord Lloyd thought it unlikely (c.879), Baroness O’Cathain cited “child abuse” (c.883). This places the association as much at the back of David Hinchliffe’s mind as it may have been at the back of some Lords’ minds. Kevin Brennan aired a homophobic fear:

I have studied the debates in the House of Lords, and I believe that for some this argument is about the fear of a gay contagion, as if somehow it is possible for children who are adopted by unmarried or **same-sex** unmarried couples—such occurrences are very rare and will still be rare when the Bill is passed—to catch homosexuality from their adoptive parents. That is absurd, but it seems to be an underlying factor. It is impossible, of course, to catch homosexuality from parents, since, by definition, the parents of homosexuals are heterosexual. (c.87).

Chris Bryant’s interjection of “Mostly” at this point is apt. Kevin Brennan was, as well as marginalising *same-sex* adoptive couples, denying the existence of lesbian and gay parents. His use of *contagion* also evokes the negative trail of disease in the legislative heritage (Chapter 1). That heterosexual *contagion* is not feared is testament to heterosexuality’s protected status.

Evan Harris was more supportive. He argued against discrimination:

The third reason for returning these amendments to the Bill is the need to end discrimination against unmarried and **same-sex** couples. Given the stringent application process and the rigorous assessments that are made on a case-by-case basis, there is no justification for disqualifying a couple from adopting jointly simply because they do not possess a marriage certificate, if they clearly possess all the characteristics that the agency would expect of suitable adoptive parents. (c.51)

And quoted the JCHR assessment of the human rights position:

Paragraph 24 of the [JCHR] report says: Although the judgment in Fretté suggests that it might not always be necessary to base a refusal to accept a **same-sex** couple as adopters on evidence related to an assessment of that particular couple’s suitability to adopt, the view of the French authorities in that case (which the Court accepted as within their ‘margin of appreciation’) was based on doubts about the desirability of **same-sex** parenting. However, the case provides no support for the view—reflected in Earl Howe’s amendment—that it could legitimately be regarded as necessary and proportionate to the aim of protecting the best interests of the child to prevent all unmarried couples, including **mixed-sex** couples, from being eligible to adopt, regardless of the merits of the individual case. (c.51)

He also countered Conservative statistics on public opinion:

The most recent polling data that I can find are from MORI in September 2002. They show that 44 per cent. of people supported the right of **same-sex** couples to apply—the hardest case as regards popular opinion—while only 36 per cent. opposed that right. I have never held the view that we should go by popular opinion in matters to do with human rights — [Interruption.] I am grateful for the sympathy expressed by Labour Members for the necessity of that virtue. (cc.55-6)

With no clue to the '[Interruption]' it is unclear if the last sentence was ironic.

Labour speakers made no reference to human rights. Given the opposition to the Human Rights Bill in sections of the Lords, this was probably strategic.

Though children were central to pro-reform arguments, *child(ren)* appear in only four lines for *same-sex* and are absent from pro-reform sexuality-term collocates. This marks a dissociation, though the extent to which it links to some speakers' ambivalence or to pro-reform strategy is unclear.

The other salient pro-reform adjective, *gay*, applies to the following nouns:

<i>couples</i> (4 lines)	<i>relationships</i> (2 lines)	<i>contagion</i> (1 line)	<i>parents</i> (1 line)
<i>people</i> (3 lines)	<i>men</i> (2 lines)	<i>couple</i> (1 line)	
<i>relationship</i> (3 lines)	<i>rights</i> (2 lines)	<i>male couples</i> (1 line)	
<i>adoptions</i> (2 lines)	<i>census</i> (1 line)	<i>parenting</i> (1 line)	

*Couples*, *people*, *relationship* and *rights* are collocates (Appendix 59). Most lines (Appendix 60) occur in refutations of anti-reform claims. Evan Harris' challenged a statistic from a Department of Health funded study:

In an intervention, [...] (Andrew Selous) cited the figure, to which Earl Howe referred, from the Christian Institute, which stated that the average length of a closed **gay** relationship was only 21 months. That figure has to be rebutted. My information suggests that that figure is an inaccurate portrayal of the findings of a survey carried out in 1992. The survey stated that the lengths of same-sex couples' relationships varied between very short and very long— up to 38 years. The mean average length of a relationship was, in fact, almost four times that suggested by Earl Howe. A follow-up study carried out by the same research team in 1998 found that the average length of **gay** relationship was almost six years and that, again, many couples were in considerably longer relationships. (cc.56-7)

Neither Earl Howe (11.7.2002 c.228; 16.10.2002 c.867) nor Andrew Selous (c.34) gave a date for the DoH study and their citing was not exposed as misleading

until the next day (Baroness Walmsley 5.11.2002 cc.592-3): it was apparently part of a sexual health strategy aimed at reducing STIs. Evan Harris continued:

The 2001 United Kingdom lesbian and gay census, carried out by ID Research, found that 28 per cent. of gay male couples and 22 per cent. of lesbian couples were in partnerships that had been ongoing for between five and 20 years. ID Research surveyed 10,500 lesbians and gay men nationwide—a far larger sample than the 1992 study cited by the hon. Member for South-West Bedfordshire. (c.57)

This is supportive information, and the 2001 study is sourced, which makes his rebuttal of the unsourced 1992 study curious in that he fails to expose the DoH study's inappropriacy. Three more lines occur in criticisms of the Lords: their fixation on *gay adoption* (c.27); their claim that supporting *gay relationships* was social engineering (c.30); their hierarchy of suitable parents with *gay parenting* at the bottom (cc.81-2). John Bercow took issue with another anti-reform stance:

A week or two ago, in the context of making what I thought was an important argument in relation to the Bill, a senior Conservative, who is himself strongly opposed to adoption by unmarried couples, said to me, "This issue is not about gay rights." It so happens that, in the course of the remarks that excited that response, I had made absolutely no reference to gay rights, but there you go. On the point of fact, I agreed with that individual: this issue is not about the rights of gay people, or of heterosexual people, or of married people, or of unmarried people—frankly, it is not about the rights of adults at all. It is about the rights, welfare and futures of some of the most vulnerable children in our society today. (c.66)

He pointed to the inequality when unmarried couples adopt:

As we know, couples who are cohabiting already adopt. That is true not only of heterosexual couples, but of gay couples. However, they do not adopt jointly, so they face the peculiarly unenviable dilemma of deciding which of them is to have the status of the adoptive parent, and which of them is to accept the lesser role of second-class citizen whose fate and limitation it is, perhaps, to acquire a residence order which will lapse when the child involved reaches the age of 16 or 18. (c.69)

And he later challenged Julian Brazier on the same point:

If my hon. Friend had a free hand and was starting from scratch, would he prefer to prohibit individual gays adopting? If not, and acknowledging that there are many successful gay adoptions, although they form a minute proportion of the total, why is he opposed to gay couples adopting jointly to the extent of supporting a three-line Whip, which many of us believe sad and ill judged? (c.76)

Jacqui Smith reinforced the point in her conclusion:

Of course, single people, including *gay* people, can already adopt. They have been able to do so since 1926. Some of them will be in long-term relationships, and the assessment process already considers the nature of those relationships. What the reforms will do is enable adopted children to have a long-term legal relationship with two parents. (c.96-7)

Only 2/24 lines for *gay* occur in arguments concerning children. In recounting the adoption process, Meg Munn challenged accusations of political correctness:

Social workers have children who need placements. They tell the adoption team about them and a matching process takes place. If a social worker is lucky, she might have two or three couples or sets of people from which to choose. It is more likely that there will be one choice or the team might say that it has someone in the pipeline. It is nonsense to suggest that a social worker says, "I'm politically correct and I want a *gay* couple for this child." That does not happen. Social workers are desperate for families and want a couple who meet a child's needs. (c.63)

In taking issue with Julian Brazier, Jonathan Shaw cited an example of *gay* foster parents who decided to apply to adopt a child in their care:

The hon. Gentleman likes to use examples, often from his own postbag or constituency surgery, to illustrate and advance his argument. Perhaps I can offer him another example. Let us take a situation in which two *gay* men were fostering a child who had all kinds of different challenges, and it was felt that the best people to look after that child for the rest of its life were those two individuals. Would the hon. Gentleman deny that child the opportunity to be adopted by those two people? (c.77)

This example comes closest to a positive argument for *gay* parenting. Although the lines for *gay* occur in less ambivalent arguments than those for *same-sex* and are supportive in their refutations of anti-reform claims, positive arguments for *lesbian* and *gay* parenting were not made.

There are only three lines for *lesbian* (Appendix 60). Two are paired with *gay* and one with *homosexual*; none are independent. The plural lines for *gay* (*couples/people/adoptions/relationships/rights/parents*) potentially include lesbians, while those for *gay men/male couples* refer to men. The reference of *gay* where it applies to singular nouns (*relationship/couple/contagion/parenting*) is unclear. As at the time there were more *lesbian* than *gay* parents, the imbalance

is surprising. Possible explanations are that the reference of *gay* had become more often used inclusively or, as Murphy's (1997) study suggests, inclusive uses of *gay* may be more likely among heterosexuals. Speakers may also have been more focused on *gay* men or responding to anti-reform animosity towards *gay* men as parents. Nevertheless, the lines for *lesbian*, like those for *gay*, occur in supportive refutations of anti-reform claims.

The three pro-reform lines for *homosexual* (Appendix 60) apply to *partners*, *men* and *relationships*. They also occur in refutations of anti-reform claims.

David Hinchliffe confirmed 'unmarried' was inclusive:

Politically, it might be helpful for the Conservatives to separate those two concepts, but I do not think that the distinctions are as clear as he suggests. The way forward is to accept the fact that we are dealing with unmarried partners, who may be heterosexual, *homosexual* or lesbian. (c.27)

This supports a strategic deployment of 'unmarried'. He also criticised the Christian Institute poll cited in the press:

The question that had been put to people—a fairly loaded one—was: If you died would you like your children to be adopted by two *homosexual* men?" [HL 16.10.2002 c.884.] In response, 81 per cent. of Tory voters, 71 per cent. of Labour voters, and 65 per cent. of Liberal Democrat voters said no. I wonder what the result would have been if the alternative had been proposed—of the children remaining in institutional care for the remainder of their childhood and adolescence, with numerous transient carers and, arguably, a far greater chance of abuse—because that, frankly, is the reality. (c.28)

This supports speakers' unbalanced uses of *lesbian* and *gay* being a response to an anti-reform focus on *homosexual* men. In the third line, Michael Jabez Foster confirmed existing law:

I would add that the present provisions do not prevent children from being brought up in *homosexual* relationships, as has been stated already. (c.35)

While these arguments supported reform, the clinical *homosexual* was used only by David Hinchliffe and Michael Jabez Foster who made the most concessions to marriage and most qualified the appropriacy of lesbian and gay adoption.

The pro-reform lines for *heterosexual* apply to the following nouns:

<i>couples</i> (3 lines)	<i>partners</i> (1 line)	<i>abuse</i> (1 line)	<i>people</i> (1 line)	<i>parents</i> (1 line)
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In all lines (Appendix 60) *heterosexual* is linked to a non-heterosexual term (*same-sex couples/homosexual or lesbian/gay people/gay couples/homosexuals*).

It was used only as a comparator and its only negative application is to *abuse*.

Two lines occur in appeals on behalf of children:

In many cases, sometimes of *same-sex* couples but more frequently of unmarried *heterosexual* couples, one partner adopts the child. When the adoptive partner dies, the child is legally in a vulnerable position.

(David Hinchliffe c.26)

[T]his issue is not about the rights of *gay* people, or of *heterosexual* people, or of married people, or of unmarried people—frankly, it is not about the rights of adults at all. It is about the rights, welfare and futures of some of the most vulnerable children in our society today.

(John Bercow c.66)

While David Hinchliffe sidelines *same-sex* couples as parents, John Bercow equates the categories. However, the consistent pairing of *heterosexual* with non-heterosexual terms extends the collocational dissociation of *child(ren)* to all sexuality terms, which suggests sexuality in general was an avoided topic.

The lines for the remaining pro-reform adjective, *sexual*, and the adverb *sexually* (Appendix 60), both link to child-sexual abuse. The line for *sexual abuse* occurs in David Hinchliffe's criticism of the Lords' (quoted above). Both lines for *sexually* refer to children taken into care because of abuse:

When we talk about getting more people to adopt children, we must recognise that those children are difficult boys, who have been physically and *sexually* abused, and manifest difficult behaviour that requires special people to deal with it.

(Jonathan Shaw c.48)

Social workers consider each case from the point of view of the child. It would be wrong to place a young girl who has been badly *sexually* abused and who has a range of needs in a household where there is a man. She could not deal with that.

(Meg Munn c.63)



The speakers who raised the issue of abuse were ex-social workers. Anti-reform speakers made no reference to abuse. Pro-reform speakers were intent on giving Conservatives a reality-check, as in David Hinchliffe's line for *sexual partners*:

The Lords seem to have swallowed hook, line and sinker all the tabloid tales of so-called politically correct social work decisions in adoptions. I have looked at a number of those decisions and I have talked to directors of social services about particular examples that were brought to light by the tabloids. As those directors always say, confidentiality prevents agencies such as theirs from saying why particular applicants are turned down. I give an example. Can the House imagine a director of social services telling The Sun, "No, Mr. X was turned down not as a Tory-voting smoker, but because medical reports from his GP show that he is being treated at a local genitourinary medicine clinic for syphilis, which was picked up in his relationships with various **sexual** partners, unknown to his wife."? That is the sort of stuff that occasionally emerges. (c.29)

This is a dubious example unless the man had consulted his GP in addition to attending the clinic; GUM clinics are the only branch of medicine with closed confidentiality. Even so, pro-reform arguments were generally based on real-life experience, albeit with emotive emphasis, while anti-reform arguments were not.

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The anti-reform lines for *same-sex* and related terms (Appendix 62) show the nouns to which they apply:

same-sex	<i>couples</i> (5 lines)	<i>adoption</i> (1 line)	<i>households</i> (1 line)
	<i>relationships</i> (1 line)		
of the same sex	<i>couples</i> (2 lines)	<i>parents</i> (1 line)	<i>couple</i> (1 line)
not of the same sex	<i>parents</i> (1 line)		
of different sexes	<i>couples</i> (1 line)		

The lines occur in predictable arguments. One theme is heterosexual parenting:

Does the hon. Gentleman not agree that a child who is brought up by a couple **of the same sex** would automatically be denied either a father or a mother?  
(Angela Watkinson c.27)

Even if it were acceptable that non-marrieds should regularly be able to adopt—which I do not accept—most adopted children will know, by reason of their age, that children normally have parents who are married and **not of the same sex**.  
(Jonathon Djanogly c.32)

There is a legal view that it is arguable that article 8 implies the right for a child to have a mother and a father, and that right may be violated if an adoption order is granted to two parents **of the same sex**.

(Tim Loughton c.46)

The focus on parents' gender rather than parenting qualities further undermines anti-reform claims to be prioritising children's interests. *Child(ren)* appear in only two lines and *couples* is the only consistent sexuality-term collocate (Appendix 61). Children's interests were nevertheless claimed:

To those people who hold the interests of the child paramount, I say that the proposals to allow **same-sex** and non-married couples to adopt are misguided. They will not work in the best interests of the child and, importantly, they will miss the root cause of the problem that faces us.

(Jonathon Djanogly c.33)

The support of public opinion was also claimed:

Does he acknowledge, however, that the Bill would be more acceptable, both in the other place and in the wider country, if we separated the concepts of unmarried couples **of different sexes** and couples **of the same sex**?

(Robert Walter c.27)

Some 85 per cent. of the population are against **same-sex** couples adopting, and 95 per cent. of children are adopted by married parents. To a great extent, that means that the current system represents what people want.

(Jonathon Djanogly c.32)

Contrary to the remarks of the hon. Member for Oxford, West and Abingdon (Dr. Harris), opinion polls conducted not by disreputable organisations but by ICM showed that 71 per cent. of parents have grave concerns about adoption by **same-sex** couples.

(Andrew Selous c.89)

The discrepancies between these mostly unsourced statistics calls them into question, plus it is unclear which of the statistics cited by Evan Harris' were being dismissed as 'disreputable' by Andrew Selous. Reference to the MORI poll on public opinion seems unlikely. If the reference was to ID Research, then he was clearly discrediting the Lesbian and Gay Census. If he was referring to Evan Harris' rebuttal of the DoH study, he may have been implying improvisation. Anti-reform speakers also invoked the example of other European countries:

I thank the hon. Gentleman for his references to both the Committee's report and the judgment of the European Court of Human Rights, but does he acknowledge that most European states that recognise **same-sex** relationships also prohibit **same-sex** adoption, and that the practice in Europe is to oppose it?

(Robert Walter c.51-2)

This claim ignores adoption reforms then underway in other northern European countries, as mentioned by Lord Clement-Jones (16.10.2002 c.904) and Dey (2005: 11). In claiming marriage stability, Andrew Selous assumed:

We know that 83 per cent. of cohabitations will break up within 10 years. I am sure that everybody—married couples, unmarried couples or **same-sex** couples—starts their relationship hoping that it will be permanent. No one enters a relationship hoping anything else. However, we know from the statistics and the evidence, which we are not here to dispute tonight, that married relationships provide the most permanent form of security, and that is what we are concerned about for adopted children. Of course unmarried and **same-sex** couples start out intending their relationship to be permanent but, sadly, that does not prove to be the case. (c.88)

Apart from the fact that the hopes of partners within individual relationships vary, his assumption presents *unmarried and same-sex* relationships as failures.

A similar situation is evident in the few anti-reform lines for *gay* and *lesbian* (Appendix 62), which apply to the following nouns:

gay	<i>adoption</i> (2 lines)	<i>couples</i> (2 lines)	<i>business man</i> (1 line)	<i>person</i> (1 line)
lesbian	<i>couple</i> (1 line)			

While *gay couples* potentially includes lesbians and the gender of *gay business man* is clear, the reference of *gay* in other lines is unclear. Four lines occur in misleading reports. Tim Loughton quoted Lord Alli out of context:

I should like to mention Lord Alli's interesting and thoughtful intervention in the House of Lords. At column 874, he said: I happily agree with many noble Lords that married couples should have priority over unmarried couples. I also agree that unmarried couples should have priority over **gay** couples.— (c.45)

That Lord Alli is a Labour peer and *gay* added weight to the point, thus the description of *interesting and thoughtful* is mischievous. Plus the quote was not

an intervention, it was a concession that prefaced the start of Lord Alli's politely exasperated speech. The quote in context reads:

My Lords, I have read much in the newspapers today about this debate. To be honest, I feel ashamed of the way in which the debate has been conducted. It should have been about finding homes for the 5,000 or so children currently in institutional care awaiting adoptive families. But it has taken on an unhelpful tone. It has set married couples against unmarried couples and married couples against, gay couples. All that any of us want in this debate is to find homes for children in institutional care. I happily agree with many noble Lords that married couples should have priority over unmarried couples. I also agree that unmarried couples should have priority over gay couples. But I cannot agree that a child in institutional care is better off there than in a loving, caring home.  
(Lord Alli 16.10.2002 c.874)

Andrew Selous further misreported Lord Alli's concession:

I have some sympathy with the arguments advanced by the Labour peer Lord Alli in the other place. He believes that married couples should have preference over unmarried couples, who, in turn, should have preference over **homosexual** couples. If there were a degree of hierarchy supporting the status of marriage, that could usefully be considered.  
(c.89)

A hierarchy of adopters would certainly have been a human rights issue. He also selectively reported the views of other *gay* public figures:

Ivan Massow, a prominent **gay** business man, has expressed concern about **gay** adoption. He is worried about what might happen in the playground, where children might not be politically correct. The same view is held by Michael Brown, a former Conservative MP, who is also **homosexual**. (c.89)

That the need to address playground bullying was omitted leaves it standing as accepted and sidesteps their concern. These two lines for *gay* occur in the only argument concerning children. The line for *lesbian* occurs in Tim Loughton's report of the Joint Committee on Human Rights' review of developing case law:

Page 10 refers to a **lesbian** couple who were refused their challenge to adopt. (c.44)

He gave no further information about this case, but did discuss the Frette case and that of du Toit and de Vos in order to throw doubt on the significance of the judgments. In Voloshinov's (1986: 116) terms, the reports were "transposed into

an authorial context”, thus MPs needed background knowledge to see through the impressions given. As van Dijk (2006c: 375) argues, recipients’ “lack of relevant knowledge” is a contextual feature of manipulative discourse.

The anti-reform keyword *HOMOSEXUAL* applies to the following nouns:

<i>couples</i> (4 lines)	<i>man</i> (1 line)	<i>relationship</i> (1 line)	<i>Michael Brown</i> (1 line)
<i>adoption</i> (1 line)	<i>parents</i> (1 line)	<i>rights</i> (1 line)	

The line where *HOMOSEXUAL* applies to *rights* (Appendix 62), includes lesbians as it refers to the South African constitution. The applications to *couples* and *parents* potentially include lesbians, references to men are clear in two lines but are unclear in the other two lines. They occur in familiar arguments:

that the child should be of prime importance in the Bill, not adoptive parents;  
that allowing unmarried homosexual couples to adopt did not solve the shortage of adopters;  
that allowing homosexual couples to adopt would not result in more adoptions of older children;  
that the average length of a homosexual relationship was 21 months;  
that the ECtHR had upheld French social services refusal to allow a gay man to adopt;  
that the South African adoption ruling was not comparable to the British situation;  
that homosexual couples were more likely to break up than unmarried heterosexual couples;  
that the problem was relationship break-up rather than homosexual adoption  
that the order of preference should be married couples, unmarried couples, homosexual couples  
that Michael Brown was concerned about playground bullying.

Most lines occur in arguments discrediting *HOMOSEXUAL* couples’ relationships or dismissing pro-reform arguments for their inclusion. The last two lines report gay public figures out-of-context to support anti-*HOMOSEXUAL* positions.

Anti-reform speakers also used *heterosexual* proportionately more often.

The lines (Appendix 62) show it applies to *couples*, *parents* and *relationships*. It is linked directly or indirectly to *HOMOSEXUAL* and occurs in familiar arguments:

that as most cases involve heterosexual couples, a requirement to marry was no problem;  
that the child should be of prime importance in the Bill, not adoptive parents;  
that unmarried heterosexual couples were more likely to split up than married couples;  
that homosexual couples were more likely to split up than unmarried heterosexual couples;  
that homosexual couples partnerships last a shorter time than those of heterosexual couples;  
that in heterosexual relationships couples tend to marry or break up shortly after a child arrives.

Julian Brazier spoke 6/7 lines focused on marriage and relationship stability, but his last line is curious. In response to John Bercow he argued:

In **heterosexual** relationships, couples tend to marry or break up in a year or two after the child arrives. When the pool is large enough to consider, I suspect that that will apply to **homosexuals**. I understand my hon. Friend's point but I do not agree with it. My point is about splitting up rather than **homosexual** adoption. (c.77-8)

His prediction that when the pool of *HOMOSEXUAL* couples is "large enough to consider" statistically, they would follow the *heterosexual* pattern, sits oddly with his well-recorded anti-gay views. This probably unthinking statement implies he anticipated an increase in *HOMOSEXUAL* parents and the introduction of same-sex marriage. In applying *heterosexual* norms he is also apparently oblivious to the fact that children born to lesbian and/or gay parents do not just "arrive". His statement is clearly detached from real-life knowledge.

The adjectives show that while pro-reform speakers based their generally more reasoned arguments on real-life situations, anti-reform speakers based their arguments on ideals supported by conflicting and/or questionable sources.

\* \* \*

The most used abstract noun was *homosexuality*, but only by pro-reform speakers and in only five lines (Appendix 60).

ABSTRACT NOUNS	Total Uses	Pro-reform Uses	Pro-reform % Debate Words	Anti-reform Uses	Anti-reform % Debate Words
homosexuality	5	5/5 (100% total) 1/5 (20% uses)	70.3%		29.7%
sexuality	2	1/2 (50% total)	70.3%	1/2 (50% total)	29.7%
sexual orientation	2	2/2 (100% total)	70.3%		29.7%
sex (in reference to sexual acts)	2	2/2 (100% total) 2/2 (100% uses)	70.3%		29.7%
homophobia	3	2/3 (66.7% total) 1/2 (50% uses)	70.3%	1/3 (33.3% total)	29.7%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use

*Homosexuality* is of interest because the lines concern prejudice which modifies speakers conciliatory approach to getting the amendment through the Lords.

Michael Jabez Foster attributed *prejudice* to the Lords and by implication the press, but mitigated it for his religious constituents:

In respect of the proposals, however, there is clearly **prejudice** against **homosexuality**, with the suggestion that same-sex couples are somehow damaging to the charges whom they seek to adopt. There is only one basis for such a belief. It is certainly not of the making of the individuals involved; it relates only to the **prejudice** created in society by some of those who oppose the provision—the **homophobia** that is so obvious in the other place. (cc.33-4)

The **bigotry** against **homosexuality** and against couples who want to provide for young children has permeated throughout society because of what is being said. That has created **prejudice** that attaches not only to couples but to the charges whom they might want to take on. (c.34)

I understand the deep-seated religious conviction of some of my constituents, who have written to me about their belief that **homosexuality** and relationships outside wedlock are wrong, but, even if that is their belief, I would ask them two questions. Do they in all honesty believe that the damage to a child in being brought up in what is still today a non-orthodox family is more damaging than being brought up in residential care? Is being in a family that is not the norm more damaging than not being in a family at all? (c.35)

The other two lines occur in Kevin Brennan's assumption that the Lords' feared *homosexuality* was 'contagious' (quoted above). His denial that this was possible compounds the prejudice in that 'more gay people' was not only perceived as a problem, but one that mattered enough to be denied. David Hinchliffe also addressed *homophobia* in the Lords:

I want to consider the main themes of the Lords' anxieties about the amendment that we passed some time ago. I hope that hon. Members have studied the relevant Hansard reports of the Lords proceedings. I do not like to say so, but one theme underpinned the debates: scarcely concealed, crude **homophobia**. I find that rather sad and worrying in this day and age. (c.26)

That he did *not like to say* so mitigates the attribution. Prejudice was mentioned in other contexts (Appendix 60A), but was mitigated and/or indirectly attributed. Michael Jabez Foster mitigated *prejudice* and generalised its attribution:

We must not allow the **prejudice** of those, **however well-meaning**, who oppose adoption by same-sex and unmarried couples to spoil the life chances of so many young people. (c.33)

John Bercow mitigated *prejudices* and attributed them to the debate(s):

I want to attend to the detail, because I am concerned about the way in which generalised arguments and—**dare I say it?**—occasionally deliberate or inadvertent **prejudices** are tossed around in the course of these debates. (c.68)

I think that the amendments tabled by the hon. Member for Wakefield and supported by others are sound. They offer hope and could make the situation better. I believe that what we need in this debate is less **prejudice** and more fairness. (c.72)

Dari Taylor only suggested Tim Loughton's argument was based on *prejudice*:

I suggest to him, however, that his argument to the House is based much more on confused **prejudice** than on careful thought. (c.80)

Jacqui Smith too mitigated her unattributed reference to *prejudice*:

Adoption is about making judgments about suitability and judgements based on evidence, not judgments based on generalisation and—**dare I say it?**—sometimes **prejudice**. One cannot use generalisation to determine assessment—that is not acting in the best interests of children. (c.95)

Such caution was needed to avoid unparliamentary language, but also suggests avoidance of conflict or, to put it figuratively, a massaging of opposing MPs who did not want to be seen as prejudiced. As Baker (2006: 165-6) argues, attribution of negative actions to obscured actors backgrounds responsibility. By contrast, the pro-reform lines for *discrimination/ discriminatory/ discriminated* (Appendix 60A) are more direct and focus on the amendment's relation to existing law or human rights—but were not spoken by Labour MPs.

\* \* \*

Very few nouns for people were used in the debate:

NOUNS FOR PEOPLE	Total Uses	Pro-reform Uses	Pro-reform % Debate Words	Anti-reform Uses	Anti-reform % Debate Words
homosexuals	5	3/5 (60% total) 1/3 (33.3% uses)	70.3%	2/5 (40% total)	29.7%
heterosexuals	1	1/1 (100% total)	70.3%		29.7%
lesbians	3	3/3 (100% total) 2/3 (66.7% uses)	70.3%		29.7%
gays	1	1/1 (100% total)	70.3%		29.7%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use



Of the total pro-reform lines for these nouns (Appendix 60) 6/8 occur in David Hinchliffe's or Kevin Brennan's ambivalent and/or concessionary statements. Along with the two anti-reform lines (Appendix 62), this makes the nouns for people the most negatively associated lexical category.

\*   \*   \*

It is difficult to judge the extent to which the scarcity of terms related to sexuality was deliberate on either side of this long debate. Labour speakers' caution indicates the political sensitivity of this move towards social inclusion in terms of the emerging human-rights case law which necessitated getting the amendment past the Lords. Anti-reform speakers' wariness of being seen as homophobic indicates a decreasing acceptability of its overt articulation; caution was also needed in that they were not arguing against the status quo whereby lesbian and gay individuals could apply to adopt. The sheer overload of caution and repetition in the debate exudes limitation and avoidance on both sides—a concerted reluctance to delve into the underlying conflict.

### **Associations and Implications**

Four issues require further comment: the dissociation between references to children and sexuality identifiers; the shift from sexuality identifiers to *same-sex* and other gender-aligned terms; the euphemistic use of marriage to protect heterosexuality and the gender binary; the invisibility of lesbians.

Children in care were the intended beneficiaries of the Bill, of which the amendment to delete 'married' was a small part. Thus the focus on children in care concurred with the Bill's purpose. Speakers on both sides made emotive appeals, but pro-reform appeals were rooted in taken-for-granted values and beyond question. They served to gain support and divert attention from adopters' sexuality. A dissociation between children and sexuality identifiers is evident on

both sides of the debate. In the case of pro-reform speakers, it relates to conflict avoidance. As well as the case for lesbian and gay parenting not being made, some speakers restricted its appropriacy. That such marginalisation was seen as necessary to get the reform past the Lords, illustrates pervasive resistance to lesbian and gay parenting—internalised as well as external. Thus the resistance was ‘massaged’ rather than challenged. In the case of anti-reform speakers, the dissociation relates to their greater focus on couples’ sexuality. Their uses of sexuality terms occur in negative contexts and were mainly used to discredit and devalue lesbian and gay relationships in which parents barely featured.

The shift from sexuality identifiers to *same-sex* and other gender-focused terms, notably among pro-reform speakers, also diverted attention from couples’ sexuality. The shift circumvented controversy by desexualising lesbian and gay couples. As Cooper (1993a: 269) argues, “lesbians and gays are discursively constructed as so sexual that even their mere presence is erotically saturated”. The shift implies that gender, as a naturalised category, was seen as innocuous, though protection of gender divisions is deeply implicated in homophobic beliefs (Chapter 1). Such protection is evident in the anti-reform view, conceded by some pro-reform speakers, that children need a mother and a father. This ‘need’:

was being denied under the proposal (c.27)	was accepted by all as best (c.38)
was normal (c.32; c.85)	was a child’s legal right (c.46),
was nature’s way (c.35)	was social workers’ preference (c.63)

The ‘need’ was not linked to parenting qualities, but to gender-boundary norms and by proxy heterosexuality. It thus presented “heterosexuality as natural, self-evident, desirable, privileged and necessary” (Cameron & Kulick 2003: 149).

Heterosexual parenting was presented in terms of:

<i>a mother and a father</i> (4 lines)	<i>natural circumstances</i> (2 lines)	<i>natural homes</i> (1 line)
<i>married parents</i> (3 lines)	<i>a mother and father figure</i> (1 line)	<i>natural parent</i> (1 line)
<i>natural parents</i> (3 lines)	<i>mum and dad</i> (1 line)	<i>nature’s way</i> (1 line)

This naturalised view invoked heterosexual reproduction and the nuclear family. That parenting arrangements have historically taken many forms, positions this view as a recent ideal (Stone 1977; Adams 1982). It also cast non-heterosexual parenting as ‘unnatural’ which further discredited lesbian and gay adopters.

As the amendment topic, marriage was an inevitable focus of debate. It was upheld by both sides and married parents were claimed or conceded to be best for children. As a heterosexual institution, it marginalised lesbian and gay adopters. For pro-reform speakers this was convenient. They were in a delicate position. To have U-turned on the adoption agencies’ evidence would have been to ignore professional advice and risk challenges under the Human Rights Act, plus they risked losing the whole Bill if the Lords refused the change. Anti-reform speakers’ protection of heterosexuality was more overt. In upholding marriage as the sole measure of relationship commitment, they denigrated lesbian and gay relationships. Marriage emerged as a euphemistic front for homophobic beliefs in a context where they were becoming less acceptable. Pro-reform speakers were also culpable. Their amendment was passed and prejudice was criticised, but their concessions to marriage and/or ambivalence towards lesbian and gay adopters placed heterosexuality beyond question. The reform was achieved by upholding heterosexuality and the gender binary on which it rests.

The virtual invisibility of *lesbian(s)* in the debate also relates to the gender binary. The 1980s linking of *lesbian and gay/ lesbians and gay men* originated from recognition of distinct histories within common resistance to oppression. The compound terms were most used in Clause 28 debates by speakers familiar with sexuality politics. The linking appears to have been lost as the use of *gay* became more mainstream. If, in this debate, the reference of *gay* was largely inclusive of *lesbians*, then the issue is one of *lesbian* visibility. In social terms, Baker (2006:151) locates lesbian invisibility (plus bisexual and trans invisibility),

within the prevailing “hetero-gendered order” that maintains the polarising hetero-homo and gender binaries. In sexual terms, Waites (2005: 84-5) locates lesbian invisibility within polarising beliefs which position men’s sexuality as active and women’s as passive and thus unthreatening. If, in this debate, the reference of *gay* was largely to men, then the latter beliefs are relevant and, in discounting heterosexual men, further expose heterosexual privilege.

### **Conclusion**

The passage of this Bill illustrates the Government’s initially reluctant and subsequently very cautious approach to adoption by lesbian and gay couples. The first Bill made no provision for lesbian and gay couples to jointly adopt and the provision was delayed in the second Bill. Although the adoption agencies had asked for the change in submissions to consultation and the Special Standing Committee and an EDM for the change had attracted cross-party signatures, the amendment was only tabled two months after extra time had been allowed for discussion of the issue. In the event, the amendment enabled a non-exclusion of lesbian and gay couples rather than a positive inclusion. Dissent in the Labour cabinet was exposed in the free vote. The amendment’s reversal in the Lords was a set back. That the Government could not afford to lose the Bill meant that the amendment had to be dropped or reinstated. The debate on its reinstatement was held after the JCHR had reviewed the human rights implications in terms of developing case law. Thus its reinstatement and acceptance by the Lords became a matter of Government credibility to ensure the Bill complied with the Human Rights Act. Of the research reviewed, only Dey (2005) demonstrates a grasp of the imperative and political expediency involved in ensuring the amendment’s successful passage. Yet, in terms of practical outcomes and despite Labour arguments for widening the pool of potential adopters, Dey (*ibid*) shows that the

reform only slightly increased adoption rates. In addition, Hicks' (2005) analysis of lesbian and gay adoption and fostering applicants' experience shows that they could still face homophobic or heteronormative assumptions in their dealings with Social Services despite the legislative change.

Labour caution is also clearly evident in the debate analysed. The case for lesbian and gay parenting was not made, the issue was repeatedly minoritised or sidelined in favour of emotive appeals on behalf of children in care, while married couples were conceded to be ideal. The apparently strategic substitution of *same-sex couples* for *lesbian* or *gay couples* suggests the gendered terms were seen as less controversial, thus they add to the aura of caution. Caution is also evident in anti-repeal speakers' contributions. They upheld the status of marriage and by proxy heterosexuality, but conceded possibilities of non-heterosexual parenting in exceptional circumstances. They were not disputing the status-quo of lesbian and gay individuals' ability to adopt and were wary of being seen as homophobic. In the Words and Themes section, pro-reform uses of the keyword collocates *children/child* and keywords *NEEDS* and *LOVING* reveal the sheer overload of speakers' emotive appeals on behalf of children. By contrast, anti-reform uses of the pivotal keyword *ADOPTION* reveal the extent of speakers' focus on criticising the Government, Social Services and the BAAF, despite their claims of children's best interests. The section confirms a greater anti-reform focus on marital status than children and shows speakers were more concerned with unmarried couples' sexuality. Pro-reform speakers less often identified unmarried couples' sexuality and emphasised the rigorous assessment of adoption applicants' relationships. In the Views of Sexuality section, the low frequencies of the related terms and their collocational dissociation from *children/child/parent(s)* on both sides, mark the sidelining of *lesbian/gay/same-sex* parenting from discussion. In addition, the pro-reform uses of *same-sex* reveal a high degree of ambivalence, while most uses of *gay* occur in more positive refutations of anti-reform claims. Anti-reform

uses of the keyword *HOMOSEXUAL* occur largely in arguments discrediting *HOMOSEXUAL* relationships which were repeatedly cast as unstable and short term. The virtual absence of *lesbian(s)* in the debate is notable given the greater number and higher public profile of lesbian parents at the time. As in Chapter 7, the underlying focus was disproportionately on non-heterosexual men. That many characteristics of manipulative discourse (van Dijk 2006c) are evident in the debate, especially in the pro-reform and notably in the Labour contributions, indicates the strength of resistance that the Government were up against in attempting this much needed reform.

Despite the ambivalence in this debate, the Adoption and Children Act did mark a step towards parenting equality—in law at least. However, opposition to legal reforms continued, mainly from politically motivated strands of Christian idealism which inflated conflict between equality legislation and religion. This is explicit in the employment debate (Chapter 9), while the euphemistic protection of marriage resurfaces in the Civil Partnership Bill (Chapter 10).

## Chapter 9

### Employment Equality (2003)

Public suspicion of Tony Blair escalated prior to the invasion of Iraq. Worldwide protests against the proposed invasion (15.2.2003) included a massive march in London; the route was packed to a standstill and surrounding streets blocked with people waiting to join the march until well after dark. The invasion began on 20.3.2003. The UK decision to support the US-led venture was taken with uncertain legal backing (Iraq Inquiry 27.1.2010) and on the basis of flawed intelligence, which would have been exposed had the UN weapon inspectors been able to finish their work (*ibid* 27.7.2010). The unresolved death of UK weapons inspector David Kelly (2003) fuelled the controversy. The confession of Rafid Ahmed Alwan al-Janabi, an Iraqi defector whose fabrication was used to launch the invasion, exposed the source of the flawed intelligence (Owen 1.4.2012), but not the reason for its unverified use. The Chilcot Report of the Inquiry remains unpublished pending Whitehall and US permissions to quote classified material. Another factor is the Leveson Inquiry finding that Blair called Rupert Murdoch three times in the days before the invasion (Leveson 29.11.2012: 1148), while Alistair Campbell's diaries report that Blair also "took a call from Murdoch who was pressing on timings, saying how News International would support us" (Grice 16.6.2012). As McKnight (2012: ch.8) shows, Murdoch insisted his media outlets, particularly in the US, UK and Australia, mobilised "public support for their leaders" participation in the invasion (173).

The invasion of Iraq dominated the remainder of Blair's premiership and was the focus of ongoing public criticism and protest. During 2003 particularly, other issues had a lower media profile, including controversial legislation. For

example the Extradition Act 2003, which implemented the US-UK Extradition Treaty 2003 and allowed UK to US extradition without a requirement for prima facie evidence (JCHR 22.6.2011), was passed with little press scrutiny beyond repeated criticism of the European Arrest Warrant in the Times. Legislation affecting lesbians and gay men was reported more moderately than in previous years. The repeal of Section 28 in the 2003 Local Government Act was the most reported change; other changes (Appendix 1) had a lower profile. Reports of the Employment Equality (Sexual Orientation) Regulations were mostly supportive, with the predictable exceptions of the Telegraph and the Mail. The Independent's coverage was the most comprehensive and the Morning Star's most committed because of trade-union support.

This chapter focuses on the implementation of an EU Directive to outlaw workplace discrimination. A review of relevant research is followed by an outline of the Regulations' production and a summary of the arguments deployed in the debate requesting their withdrawal. Comparisons of each side's top-ten keywords and of the sexuality terms used are followed by a discussion.

### **Political Context**

The legislation was required by the EU Council Employment Framework Directive 2000/78/EC, made under Article 13 of the Treaty of Amsterdam 1997, on outlawing workplace discrimination. The Directive applied to discrimination on grounds of religion or belief, disability, age and sexual orientation at all stages of employment and vocational training, including recruitment, conditions of service, pay, promotion and dismissal. The Government's decision to legislate via Statutory Instrument (delegated legislation) minimised the potential for conflict but did not avoid it completely. Article 4.1 of the Directive allowed a 'genuine occupational requirement' (GOR) exception where a particular job required a



particular category of person. In the case of sexuality, jobs requiring a lesbian, gay or bisexual person (such as LGB advice or campaign work) could be exempt from discrimination. It was the Government's implementation of Article 4.1 that caused the controversy.

The Sexual Orientation Regulations have 39 Sections. Regulation 7 defines the GOR, but includes a controversial opt-out for organised religion added at the Church of England's request after the consultation:

7.— Exception for genuine occupational requirement etc

(1) In relation to discrimination falling within regulation 3 (discrimination on grounds of sexual orientation)—

- (a) regulation 6(1)(a) or (c) does not apply to any employment;
- (b) regulation 6(2)(b) or (c) does not apply to promotion or transfer to, or training for, any employment; and
- (c) regulation 6(2)(d) does not apply to dismissal from any employment, where paragraph (2) or (3) applies.

(2) This paragraph applies where, having regard to the nature of the employment or the context in which it is carried out—

- (a) being of a particular sexual orientation is a genuine and determining occupational requirement;
- (b) it is proportionate to apply that requirement in the particular case; and
- (c) either—
  - (i) the person to whom that requirement is applied does not meet it, or
  - (ii) the employer is not satisfied, and in all the circumstances it is reasonable for him not to be satisfied, that that person meets it, and this paragraph applies whether or not the employment is for purposes of an organised religion.

(3) This paragraph applies where—

- (a) the employment is for purposes of an organised religion;
- (b) the employer applies a requirement related to sexual orientation—
  - (i) so as to comply with the doctrines of the religion, or
  - (ii) because of the nature of the employment and the context in which it is carried out, so as to avoid conflicting with the strongly held religious convictions of a significant number of the religion's followers; and
- (c) either—
  - (i) the person to whom that requirement is applied does not meet it, or
  - (ii) the employer is not satisfied, and in all the circumstances it is reasonable for him not to be satisfied, that that person meets it.

(The Employment Equality (Sexual Orientation) Regulations SI 2003/1661)

Regulation 7(2) covers jobs for which a particular sexuality may be required and is within the terms of the Directive. Regulation 7(3) allows organised religions to

discriminate against lesbians, gay men or bisexuals on the basis of conflict with religious doctrine or the beliefs of its followers. This was widely seen as outside the terms of the Directive. However the wording of Regulation 7(3) is unclear. It accommodated the CoE's request, but its lack of definition passed responsibility for its interpretation to the courts.

### **Relevant Research**

The Sexual Orientation Regulations are the focus of a sharply analysed legal study (Oliver 2004), which focuses on perceptions of sexuality to expose contradictions between the provisions for direct discrimination and the GOR. It also addresses issues of sexual identity and practice which complicate the Regulations' operation in law.

Oliver begins with evidence from surveys on workplace discrimination which position the Regulations as long overdue. To illustrate their importance, she outlines problems encountered in cases of workplace discrimination brought under prior legislation. She then addresses the view of sexual orientation which informed the Regulations. The Regulations define 'sexual orientation' as that towards persons of the same sex, opposite sex, or both, to cover lesbians, gay men, heterosexuals and bisexuals. She notes that a principle of formal equality operates in UK law which protects all groups equally, regardless of whether they have a history of prejudice or discrimination. The Regulations define both direct and indirect discrimination (against an individual or group respectively). In her discussion of direct discrimination, she argues that the words 'on grounds of' ensure perceptions of sexuality are covered, thus an individual does not have to disclose his/her sexuality to bring a claim. Privacy is respected whether or not the discrimination is based on an accurate perception. She sees this as positive in that it "appears to confirm that a person's sexual orientation is entirely

irrelevant to workplace treatment and decisions” (*ibid.*: 3).

Oliver discusses the GOR at length. She points out that the conditions attached to Regulation 7(2) are narrow and that the Directive states cases are likely to be rare. With reference to the Human Rights Act, she argues that GORs will require detailed scrutiny in the courts case by case, which could make them difficult to justify. She then reviews the contradictions: An individual’s sexuality may be undisclosed at work, but the GOR requires disclosure. If the required sexuality is not specified on the job advertisement, it could involve intrusive questions at interview, which counters the privacy provisions for bringing a case. If an applicant is unsuitable, his/her sexuality remains irrelevant, but if an applicant’s suitability is unclear, the Regulations allow an employer to decide on the basis of his/her perceptions. While this may pre-empt intrusive questions, it legitimises stereotypical assumptions and contradicts the provisions for bringing a case where the accuracy of perception is irrelevant. It also raises the issue of procedure if an employer’s assumption is wrong.

In her final section Oliver addresses the problem of categorising sexuality. She argues that sexuality does not necessarily fall into rigid and fixed categories: it may change over time, people try out different practices, not everyone claims a sexual identity, past experiences may differ from present sexual identity, plus some individuals may be undecided about their sexuality when applying for a job. Her depiction of human sexuality as shifting, fragmented, fluid and multiple perhaps exaggerates its instability, but does show how discrimination on the basis of sexuality entails unique problems of identification and definition. In cases of direct discrimination, categorisation does not arise as the accuracy of the discriminator’s perception is irrelevant, but it is a problem in cases of GOR. While a group seeking legal protection needs a defined category, sexuality does not necessarily fall into rigid categories. Oliver attributes this tension to the ‘one size fits all’ approach to the categories of discrimination, which fails to recognise

the unique nature of sexuality. She hopes the courts will recognise these issues in applying the Regulations.

### **The Making of the Regulations**

The Treaty of Amsterdam was made consequential in UK law by the European Communities (Amendment) Act 1998, which amended the European Communities Act 1972. The Amendment Bill's passage coincided with that of the Human Rights Bill. Both provoked debate on how religious organisations might be affected. Conflict between religious views of sexuality and anti-discrimination provisions fuelled resistance to the former (HC 12.11.1997; HC 15.1.1998; HL 27.4.1998). Fear of churches having to marry 'homosexual' couples surfaced in resistance to the latter (HL 24.11.1997; HL 19.1.1998; HL 5.2.1998).

The Government bypassed an opportunity to implement Article 13 of the Treaty in the Employment Relations Bill 1998-9. At the Bill's Report stage, David Chidgey's Liberal Democrat amendments on outlawing workplace discrimination were denied a second reading by majorities of nearly 300 votes (HC 30.3.1999 cc. 958-964). During the Bill's Committee stage in the Lords, Lord Razzall tabled and withdrew the same amendments (16.6.1999 cc.340-50). At the Bill's third reading, he re-tabled the amendment applying to sexual orientation, but was defeated by 126 to 33 votes (15.7.1999 cc.561-565).

The Government participated in the EC Framework Directive negotiations for equal treatment in employment. The Directive was agreed in October 2000. Edward Leigh, a Conservative MP with an anti-gay voting record, then presented the Employment (Religious Beliefs) Bill, which sought to allow "certain employers to have regard to the religious beliefs of those whom they employ [in applying] European Community law" (24.10.2000 c.159). Its second reading was set for 3.11.2000, but the Commons did not sit on that day. The Directive came into

force on 2.12.2000 and gave member states three years to comply.

On 16.7.2002, the Government made the European Communities (Designation) (No.3) Order (SI 2002/1819) which authorised the regulation of discrimination under Section 2(2) of the 1972 parent Act. This enabled the legislation to proceed by Statutory Instrument which does not require the full parliamentary process. A draft of the Sexual Orientation Regulations was issued for consultation in October 2002 without religious exemption. The press showed negligible interest until after New Year. In *The Times* (14.1.2003), Lord Lester argued for comprehensive anti-discrimination legislation. *The Telegraph* began scare-mongering on behalf of the Church (Petre 25.1.2003/18.3.2003) and employers (Wheeler 24.4.2003). *The Guardian* reported the view of the Lesbian and Gay Christian Movement (Bates 2.5.2003).

The finalised Sexual Orientation Regulations were laid before Parliament alongside those for Religion and Belief (8.5.2003). The addition of Regulation 7(3) in the former prompted criticism in the press. *The Independent* on Sunday reported that the Regulations had been watered down at the request of Downing Street and that “Barbara Roche, the equalities minister, had been overruled” (Waugh 11.5.2003). With reference to a leaked copy of the Church of England Archbishop’s Council’s submission to the Regulations’ consultation, the article pointed out that the wording of 7(3) was “almost identical” (*ibid*). It went on to report the LGCM’s prediction that 7(3) would institutionalise homophobia in a way that made “Section 28 look like a tea party” followed by the National Secular Society’s view that it was “a witch hunter’s dream come true” (*ibid*). *The Observer* reported the NSS as being “absolutely horrified” (Hinsliffe & Ahmed 11.5.2003). The article went on to cite their view that 7(3) gave religious organisations “carte blanche to get rid of gays” and institutionalised discrimination (*ibid*). The next day’s *Morning Star* featured the story on its front page, highlighting trade union and gay rights campaigner outrage that 7(3) would “allow religious employers to

sack gay staff” (Glanville 12.5.2003). The article went on to quote Roger Lyons, the joint general secretary of amicus, the union representing many workers in religious organisations, who warned that “a whole raft of workers [could] be discriminated against [and vowed that amicus would] vigorously campaign against” the change (*ibid*).

The addition of 7(3) prompted a meeting of Stonewall, the LGCM, the TUC and the NSS “to take advice from human rights lawyers” (Waugh 24.5.2003). According to Angela Eagle (23.2.2011), the bishops went direct to Downing Street bypassing MPs dealing with the Regulations and, as it was delegated legislation, once the exception had been included it could not be changed.

The compliance of Regulation 7(3) with the Directive was reviewed by the Joint Committee for Statutory Instruments. This was described as a “rare move” in both the Independent (Waugh 3.6.2003) and the Regulations’ Research Paper (HC 03/54: 22). The JCSI called “witnesses to give evidence on ‘certain technical aspects’ of the regulations” (*ibid* 22), some of which is included in the Research Paper (*ibid* 31-33). On publication of the JCSI report, David Tredinnick, the Committee’s chair, said in his press release:

The Committee has examined these regulations and has found that there is doubt as to whether regulation 7(3), as it is drafted, is allowed by the European Equality Directive. This therefore gives rise to a doubt as to whether the Secretary of State has power to include it in the Regulations. In our opinion, the doubt is sufficiently significant that it should be drawn to the special attention of both Houses before they debate the Regulations.

[...]

The Committee can offer no definitive ruling as to whether, in including regulation 7(3), the Secretary of State is acting within the powers delegated by Parliament. That is a matter for the courts to decide.

(David Tredinnick 13.6.2003; quoted by Evan Harris, HC SC 17.6.2003 c.038)

The Guardian noted that, as delegated legislation, the Regulations “may be subject to only three hours’ debate in committee before entering the statute book” (Hall 14.6.2003). The Independent highlighted the Liberal Democrats’ call “for the proposals to be scrapped after [the JCSI] warned they may contravene

EU anti-discrimination law” (Waugh 14.6.2003).

The Commons Standing Committee on Delegated Legislation considered the Religion and Belief and Sexual Orientation Regulations at the same sitting (17.6.2003 cc.003-054). The Religion and Belief Regulations were discussed first. It became apparent that the Employment Relations Minister, Gerry Sutcliffe, was unprepared (c.006). It transpired that he had been asked to stand in at short notice (c.009) and that the Regulations had been moved from the Office of the Deputy Prime Minister and Barbara Roche to the DTI (c.010). The Religion and Belief Regulations were approved after an hour and a half, though Conservative MPs saw such regulation as costly and unnecessary ‘red tape’ for business. The Sexual Orientation Regulations took slightly longer. Both Conservative and Liberal Democrat MPs referred to the JCSI report, albeit for different reasons: anti-regulation and anti-discrimination respectively. Evan Harris argued for the Regulations to be withdrawn and made compliant with the Directive:

The Government might argue—as they did at the JCSI—that the exemption in regulation 7 (3) is based on article 4(1), not article 4(2), and the Minister has stuck to that line so far. Article 4(1) provides that a member state may provide for discrimination on the basis of genuine occupational requirements, while article 4(2) provides for organisations with a religious ethos to discriminate on the grounds of religion or belief. Article 4(2) clearly states that such discrimination may not amount to discrimination on another ground, which is why the Minister accepts that he cannot rely on article 4(2) to justify the wording of regulation 7(3).

(Evan Harris 17.6.2003 c.039).

The Minister replied that it would be for the courts to decide case by case. As all nine Labour committee members supported the Government, the Regulations were approved by nine to four votes after an hour and 45 minutes.

The two sets of Regulations came before the Lords on 17.6.2003, but were debated separately. Lord Lester proposed the Government withdraw the Sexual Orientation Regulations and make them compliant with the Directive; he was defeated by 85 to 50 votes. This debate is analysed below. Regulation 7(3) also

prompted parliamentary questions (Lord Lester 17.6.2003 c.93WA; Angela Eagle 18.6.2003 c.327W). When the Regulations came to the Commons for approval, there was dissent and the vote was deferred (23.6.2003 c.833). They were finally approved by 267 to 54 votes (25.6.2003 c.1177). Barbara Roche was among the many MPs who abstained. Questions continued on the implications of 7(3) for discrimination (Hew Edwards 30.6.2003; David Rendel 30.6.2003; Lord Lester 1.7.2003; Evan Harris 15.9.2003; David Borrow 13.11.2003), as did those from anti-regulation MPs (Brian Cotter 11.9.2003; Henry Bellingham 13.11.2003/ 19.12.2003; Michael Fabricant 16.12.2003). Press reports were intermittent. The Mail, Telegraph and Express focused on business fears of litigation (O'Connor 25.8.2003; Rayner/Tyler/Hagger 1.12.2003). The Independent and the Guardian focused on employees' rights (Verkaik 19.8.2003; Andalo/Inman 9.10.2003; Hilpern 28.11.2003).

The Employment Equality Regulations were included in the 2010 Equality Act. The religious exemption was retained in those applying to sexual orientation after senior bishops lobbied the Lords—even though the Government had been twice warned by the European Commission to bring the law in line with the Directive (Green 25.1.2010).

### **The Debate**

The Lords debate on the Sexual Orientation Regulations lasted two hours (17.6.2003 cc.751-784). Fourteen peers made speeches: eight supported Lord Lester's request for the Regulations' withdrawal and amendment, six supported the Government (Appendix 63). Neither debate nor vote divided along party lines. Liberal Democrat, Labour and Conservative speakers, plus a Bishop, supported withdrawal for reasons of legality, clarity and equality. Labour peers supporting the Government argued for the Regulations' approval alongside Conservatives



and a Bishop who sought to preserve religious and heterosexual privilege. As the speeches were largely individualised, they are summarised in sequence.

Lord Lester introduced his request as a matter of law; he would not have pursued it had the JCSI been satisfied that Regulation 7(3) was *intra vires*. He explained the legal context and limitations of the GOR as defined in the Directive. In outlining the problems with 7(3) he made extensive reference to the JCSI report: if 7(3) was *ultra vires*, then the Government had no power to enact it; neither the employers nor employees it applied to were defined; there had been no consultation with persons likely to be affected. He predicted that 7(3) would “encourage unlawful discrimination” (c.755). He had no doubt:

I stake my professional judgment on it—that the courts would eventually decide that Regulation 7(3) was contrary to the principles of legal certainty and proportionality. Either the regulation will be struck down, or it will be drastically read down. But why on earth is it necessary to have recourse to the costly and protracted procedures of challenge in the courts, when it is so easy in this case for the Government and Parliament to enact legislation that avoids the vices of undue vagueness and over-breadth? (c.755)

He hoped the Regulations would be withdrawn and amended.

He was seconded by Baroness Turner who had three times tried to extend the 1975 Sex Discrimination Act to sexual orientation. She had been lobbied by her union on behalf of lesbians and gay men working in religious organisations. That they could lose their jobs because religious susceptibilities were offended was unacceptable. She could not believe that was the Government’s intention and went on to quote from the Law Society briefing:

In the absence of any limiting words in Regulation 7(3)(b)(1), we consider that a church which asserts, as a matter of doctrine, that homosexuality is a sin will be able to deny employment to homosexuals in any capacity whatever, without reference to the nature of the job. This is hard to reconcile with the purpose of the Directive. (c.756)

With reference to the JCSI, she hoped the Government would reconsider.

Lord Pilkington was against state interference and began by raising the emotive spectre of Nazi Germany:

In Hitler's Germany, he destroyed faith communities, and the state decided who they could employ. It is a fundamental tenet of modern democracy that the communities within the state, be they trade unions or Churches, can decide whom to admit. The state does not decide that. [...] A lot of other people have said that they are not prepared to accept that a faith community should be dictated to by the state—by people who have no commitment to their religion. (c.757)

The basis of his brief argument was that as countries such as Germany and Ireland were making special provision for religion, England should too. He then warned against the kind of secularisation seen in nineteenth century France. He wanted the Government to stand firm.

The Bishop of Blackburn made a long speech in which ostensibly positive statements were increasingly modified. He began by claiming:

The Church of England, in common with many other Churches and faith communities in our country, strongly supports the creation of a legal framework to safeguard basic rights and to promote dignity, equality and respect for all members of society.

[...]

It is also wrong that prejudiced views about sexual orientation have been able to deny people employment. The two sets of regulations before us tonight address those problems and I welcome them. (cc.757-8)

He went on to explain why the draft Regulations had caused concern:

Churches and faith communities need to retain a broad measure of freedom to determine their own requirements in relation to the sexual conduct—not orientation—of those who wish to serve or represent them. (c.758)

He then began to oscillate between incompatible positions:

I urge the House to recognise there are genuine issues of religious liberty here. If that is accepted the question is how best to safeguard that liberty [...] while providing proper protection against the discrimination which gay and lesbian people have had to endure. A difficulty immediately arises as a result of the varying ways in which sexual orientation can be used. As regards the Church of England [...] there are no circumstances in which we would wish to be able to discriminate against people on the grounds of their orientation as such. (cc.758-9)

As well as the mitigating “would wish to be able to”, his separation of ‘orientation’ from ‘conduct’ allowed discrimination to be denied in the former but implicit in

the latter. His prevarication captures a conflict between the liberty to exclude categories of employee and a ‘wish’ not to discriminate. He explained:

We do not have posts or orders where there is a requirement to be heterosexual, or indeed homosexual. But we do have some posts and orders where, irrespective of sexual orientation, be it heterosexual or homosexual, the requirement remains for marriage or abstinence. Our difficulty is that under the regulations that sort of requirement would be open to challenge as unlawful discrimination if it were not for Regulation 7(3). The tribunals are unlikely to recognise a clear distinction between orientation and behaviour manifesting orientation. That is the difficulty. (c.759)

He argued that Regulation 7(2) was inadequate because it applied only where sexual ‘orientation’ was an occupational requirement:

All of our posts in the Church of England are open to people of any orientation provided they are prepared to observe the disciplines of the Church where that is required. We have no intention of discriminating against anyone simply because of their sexual orientation. (c.759)

As well as the mitigating “no intention”, this was misleading. The CoE was at that time in conflict over the nomination of Jeffrey John, the celibate gay Canon of Southwark Cathedral, as Bishop of Reading (his acceptance of the post was later withdrawn). This conflict was absent from the Bishop’s speech. He stated the CoE welcomed the Government’s response to their concerns; the courts would decide if the JCSI view was valid; the Directive was inconsistent; the CoE legal advice was that Regulation 7(3) met the Directive’s requirements:

In particular the regulation is confined to employment for purposes of an organised religion. It fulfils a legitimate objective—protecting the right to religious freedom—and it is proportionate. It is emphatically not about pandering to prejudices. The provision comes into play only where doctrine and strongly held religious convictions are at stake. (c.759)

Lord Lester asked him:

Where in Regulation 7(3) are words of limitation which require the principle of proportionality to be applied or require that the discrimination should only be in relation to what is a genuine occupational requirement? (c.760)

The Bishop could not answer:

My Lords, an amateur is here in conflict with a lawyer. For me the importance of the matter is to comply with the doctrines of religion and religious convictions. That is the main point for us. I was going on to say before the noble Lord intervened that the present drafting would not have been exactly our choice. However, it attempts to strike a fair balance between the rights of individuals and the freedom of faith communities to apply their own beliefs and convictions in relation to those who serve and represent them. (c.760)

He urged approval of the Regulations. The apparently benign moderation of his speech clouds its agenda. Besides the assumption that ‘religious convictions’ are not prejudiced, the ‘right to religious freedom’ is presented as that of organised religion, whereas Article 9 of the ECvHR applies to an individual’s freedom to follow a religion, not a religion’s imposition on its members or employees.

Benign moderation was not a feature of Baroness Miller’s speech. She blamed the Government for letting EU power “dictate national policy” (c.760):

We now have these regulations that are intended to implement the directive. Given that the Government have helped to obtain the concessions for religious groups, it is disappointing that they have not made the religious exemptions as clear and as firm as they might have. As with all badly drafted laws, as the noble Lord, Lord Lester, has said, it will take much litigation to establish the boundaries of religious protection. (c.761)

However:

Despite their shortcomings, to reject the regulations would be akin to throwing the baby out with the bath water. Without them there would be nothing whatever to protect the very people that the regulations are intended to protect. (c.761)

She agreed with Lord Lester on the unclear application of 7(3), but defended the protection of religion and disclaimed (van Dijk 2008a: 109-110) prejudice:

I am certain that every Member of your Lordships’ House would strongly disapprove of what might be described as bigotry and unreasonable, indeed, unreasoning, blind prejudice. However, those of us—I include myself in this number—who wish to protect the rights of various minorities, in this case those of homosexual orientation, must not at the same time overlook the rights of other members of the community. There are those who find homosexuality objectionable. I certainly do not include myself or, indeed, I think, anyone in this House. Although I am a very religious person I certainly would not accept the word ‘abomination’, which is used in Leviticus. I think that is quite disgraceful. (c.762)

Arguably, this oddly suggestive disclaimer reinforces the prejudice by reminding

her religious listeners of a biblical verse. Similarly, her claim that the Regulations were biased, reveals resentment that sexual orientation was protected:

Paradoxically, the regulations prohibit discrimination on the grounds of the sexual orientation of an employee but do not prohibit discrimination on the grounds that the employee is living with a member of the opposite sex to whom he or she is not married. That in itself is discriminatory, but typical of the biased way in which this type of anti-discrimination legislation is framed. All employees are equal but some are more equal than others. (c.762-3)

She was sure the Regulations would “land employers with claims for substantial compensation” (c.763), which she linked to false claims of discrimination:

We could therefore find a person being refused employment or dismissed on perfectly normal grounds, and then launching a claim that it was a case of discrimination on the grounds of his sexual orientation—of which the employer was not even aware. (c.763)

Conservatives found the Regulations to be inadequate, but with reluctance they supported the Government. She concluded with a quote from the Evangelical Alliance briefing which saw 7(3) as the best they could hope for at that time.

Lord Alli supported Lord Lester and urged the Government to think again. He addressed the role of the CoE and organised religion:

I find it impossible to believe that the Government—one committed to fairness and equality—should seek to allow the continued discrimination against gay men and women if those who seek to discriminate against them believe in God. What an irony: if you are God-fearing, you can weed out, discriminate and persecute gay men and women, and, if you are not, you cannot. Frankly, the exceptions in Regulation 7(3) are a joke. They make a mockery of equality legislation. (c.264)

He noted:

How can it be sensible that, on the one hand, the Church is about to appoint a gay bishop, and, on the other, it is about to sack gay staff. We see the way in which a tradition in the Church seeks to persecute gay men and women. Even today, the right reverend Prelate the Bishop of Oxford is under intense pressure following his appointment of Dr Jeffrey John as the Bishop of Reading. The fact that he is celibate is immaterial because he has a history of homosexuality. That is enough for his critics to want him out. It seems irrelevant that he might be the best man for the job. (c.765)

He accepted the right of churches to appoint Christians to their ministry, of

mosques to appoint Muslims and temples to appoint Hindus. The Regulations protected this. Addressing the Bishops, he pointed out:

Gay people may be a minority in society, but so too are those who actively profess a faith. Each has the right to protection, but not at the expense of the rights and dignity of the other. That is what equality means. Today we have the opportunity to demonstrate that this House is a modern Chamber, one that acknowledges that religion has a place in the national debate, but not a dominant or superior one. (c.766)

He warned his noble friends on the Front Bench of his opposition:

This is a Government of which I am proud, but this law is a huge stain on a worthy record on equality. I have never voted against my party or Government, but in all honesty, noble Lords cannot expect a turkey to vote for Christmas, no matter how important it is in the Christian calendar. (c.766)

He hoped the Government would reconsider.

Lord Avebury hoped that noble Lords on the Labour Benches had listened to Lord Alli and would put principle above party. Having noted Baroness Miller's illogicality, he outlined the confusion 7(3) would cause in employment tribunals, then turned to Article 4.2 of the Directive which invalidated 7(3):

Specifically, the directive does not allow for differences in treatment on grounds of sexual orientation other than the GOR. Therefore the directive cannot be held to allow the managers of employment for the purposes of organised religion to apply either of the criteria in 7(3) of the sexual orientation regulations. (c.767)

He argued that the wording had a potentially wide application. However:

The point is not the number of organisations that will be covered by the expression. Article 4.1 does not allow any discrimination on such grounds, contrary to the assertions of the DTI in its evidence to the Select Committee. (c.767)

While some religions criticised gay people, no doctrine required a post to be filled by a person of a particular sexual orientation:

Therefore, it is impossible to satisfy the tests in 7(3)(b)(i), because the doctrines of no religion say anything about the employment of people of a given sexual orientation. (c.768)

In the case of 7(3)(b)(ii):

If we agreed to the provision, we would allow the bigotry and prejudice of some of a religion's followers to dictate its employment policy. I think that it would be the first time in any western country when anti-gay conduct has been approved by legislation. (c.768)

Lord Pilkington asked if he was aware that other countries had “accepted the amendments to the directive” (c.768). Lord Avebury did not believe any country had an equivalent to Regulation 7(3):

Specifically, it came almost verbatim from paragraph 24 of the Church of England response to the DTI consultation document, [...] It got there by Church of England lobbying which, as the noble Lord Alli explained, was not subject to any consultation. (c.769).

The JCSI had drawn their doubts about 7(3) to the attention of both Houses. He looked forward supporting Lord Lester in the division lobby.

The Bishop of Worcester was hesitant. He wanted to put on record a minority view within the CoE, whose representations he saw as disproportionate to the problem. The two major debates in the Church were on sexual ethics and human rights. While he believed human rights pursued individual rather than community rights, there were two reasons why he regretted the form of 7(3):

First, there is the phrase about the beliefs of a significant number of the followers of a religion. I have said, and I repeat, that I do not hold in disrespect those who out of Christian, Jewish, Muslim, Sikh or Hindu conviction believe that the conduct of sexual life has to be within marriage, or by abstinence. However, I find unacceptable the use of phrases such as “beliefs” and “significant number”, which open the door to some kinds of campaigning about which all of us would wish to be ashamed. (cc.770-1)

In Worcester he had watched the BNP clothe themselves in religion:

Therefore, I find it extremely difficult to accept that we should be advancing, with the support of religious communities, a regulation that includes such an open-ended licence for people to advance things that are not the doctrines of the Church and may not be the doctrines of any religion. (c.771)

Secondly, he believed religious community rights should be balanced by civil law:

A balance must be struck, time and time again as a matter of fact, about whether religious communities may preserve their distinctive character or whether that distinctive character goes too far outside what the public good has come to see as right. (c.771)

His concern was that the issue had been presented as though it was clear cut:

I am not worried so much about litigation and long deliberations in courts of law. What worries me much more is what might happen on the streets, when people wind up communities. I do not believe that we have yet explored nearly far enough the possibility of creating language in a regulation that is sufficiently limiting and proportionate to defend those things that are undoubtedly necessary for a character of a religious community but also require that community to live within the insights of society as a whole. (c.771)

That was why he was supporting Lord Lester.

Lord Lea cautioned against exaggeration. He was a Labour member of the JCSI and strongly supported its report, but would not be voting:

First, as the right reverend Prelate pointed out, two debates are going on here. In one respect, one of them is ultra vires, since all we ought to be debating tonight is whether we agree about the question of doubt about the vires of Regulation 7(3). We should not be having the broad debate that we seem to be getting into. (c.772)

He argued there was little leeway in how the Directive was transposed. Second, it did not matter whether 7(3) was redrafted or not:

The ultimate reason why, in a sense, it does not matter what we do tonight, and the reason why industrial tribunals will inevitably have to look at some cases— [...] —is that these transpositions are going to be ambiguous when it comes to the behaviour of an individual and they will have to be tested. (c.772)

The Regulations were a “solid step forward in protecting people’s rights” (c.772).

He cautioned noble Lords to focus on what was ultra vires.

Lord Mayhew focused on whether or not the JCSI’s doubt was justified. Addressing the “right reverend Prelates, seated opposite in such impressive numbers” (c.773), he went on to ask:

Does a requirement related to sexual orientation always fall within and never outside the ambit of a genuine and determining occupational requirement? I refer to a particular sexual orientation which is a genuine and determining occupational requirement. That is the question. Of course it is possible to have more than one view. (c.774)

The JCSI report had revealed sensible grounds for doubt. He did not know how



he was going to vote, but would be influenced by some of the speeches he had heard and by what the Minister would say:

I am interested in whether he accepts that there is a doubt, whether he thinks that there is a doubt but it is worth putting up with, or whether he thinks that it might not in all circumstances be better not to throw the baby out with the bathwater. We have heard that expression already from my noble friend. He might think that it might be wiser to look after the baby for a little longer and change the bathwater. (c.774)

It seemed to him that the obligation to legislate clearly and avoid unnecessary litigation was being overlooked. At the vote, he supported Lord Lester.

Baroness Whitaker wanted to add a footnote to the Bishop of Worcester's speech. It seemed to her that Regulation 7(3) was not in the spirit of Article 13 of the Amsterdam Treaty, which she had helped to draft. Article 13 flowed from the UN Charter and the ECvHR as a basis of agreed rights. She argued that respect for faiths and beliefs required "a common ground of tolerance underpinned by universal human rights and fundamental freedoms" (c.775):

Freedom from discrimination in employment, qualified only on the narrowest grounds, is one of the most important of these. Freedom from discrimination on the grounds of sexual orientation is another. This last freedom is the least honoured in everyday culture. One can hear prejudice which, if it were about women or people from different ethnic backgrounds, would be repudiated—even prosecuted—spoken quite freely about sexual orientation. (c.775)

She urged the Government to think again, but did not vote.

Lord Clement Jones asked the Minister a series of practical questions on outcomes if the Regulations were passed in their present form:

... the first question is whether or not a religious organisation such as the Church of England, when putting an advertisement in a newspaper, for instance, could say "heterosexuals only need apply". Will that be legal? At what level of employment will that be legal?

Secondly, at interview, an employer will ask questions of prospective employees. What kind of questions will the employer be entitled to ask? Will he be able to ask if the candidate is gay, lesbian, in a relationship, or celibate? These questions flow from the regulations. Perhaps the Minister can clarify whether it would be perfectly proper for a religious organisation to ask them. (cc.775-6)

He lived in Clapham where the CoE was sponsoring an Academy:

What is the nature of the sponsoring relationship in those circumstances? What signals are sent out to parents and prospective pupils? Will the school be able to interrogate potential employees about their sexual orientation or not? (c.776)

He fervently hoped the Regulations would not be passed.

In Lord Brennan's view, the issue was not "Church and religion versus gay and lesbian rights" (c.776), but the vires of the Regulations. He claimed:

First, the Human Rights Act 1998 does not provide a right against discrimination of the kind that we are debating this evening. That is why the Minister certified that these regulations were compatible with the Act. Secondly, the preamble to the directive explicitly recognises the ability of member states to take into account in formulating the directive the interests of religious and Church organisations within each member state. (c.776)

He went on to justify Regulation 7(3) in terms of existing law:

Section 19 of the Sex Discrimination Act is a similar provision. So far as I am aware, it has not produced a large- scale litigation suggested by the noble Lord, Lord Lester. Equally, Section 60 of the School Standards and Framework Act 1998 explicitly provides that the governing body of a voluntary-aided school shall have regard in connection with the termination of employment of a teacher to any conduct on his or her part that is incompatible with the precepts, tenets or religion of the school in question. (c.776)

The JCSI had considered the arguments. Lawyers could take their own view on the doubt. In his view, the Directive was properly applied. He continued:

It is not a question of whether Regulation 7(3) stands or falls; it is a question of whether, in any particular case in which a Church or religion seeks to rely on Regulation 7(3) in its defence, it is required to show under Article 4.1 that the directive in this context commands analysis of Regulation 7(3) and that the decision represented a genuine and determining occupational requirement that had been applied proportionately. (c.776-7)

This suggests 7(3) would be difficult to defend in court. Lord Brennan felt the Government had done their best and that the Regulations should be approved.

The Minister, Lord Sainsbury, set out to explain the rationale of 7(3) and clarify its scope. He paid tribute to Lord Lester, the JCSI and the consultations. The Government believed 7(3) was compatible with the Directive:

I say to the noble and learned Lord, Lord Mayhew, that the baby has been sitting in the bath water for a very long time with people throwing ducks and sponges at it. It is now time to take it out of the bath, dry it, and send it to bed. I hope that the House will do that this evening. (c.778)

The provision was needed to protect religious doctrine and prevent it being the subject of litigation or debated in tribunals. The Government had had to draw a careful line between religious traditions and sexual orientation. He argued:

When drafting Regulation 7(3), we had in mind a very narrow range of employment: ministers of religion, plus a small number of posts outside the clergy, including those who exist to promote and represent religion. (c.779)

The provision was not a blanket exception:

It is quite clear that Regulation 7(3) does not apply to all jobs in a particular type of organisation. On the contrary, employers must be prepared to justify any requirement related to sexual orientation on a case by case basis. The rule only applies to employment which is for the purposes of “organised religion”, not religious organisations. (c.779)

It did not apply to nurses in care homes or teachers in faith schools whose purposes were health and education. In reply to Lord Clement Jones he argued:

[An advertisement] could not say “only heterosexuals need apply” unless it was a genuine occupational requirement that the job holder be heterosexual. (cc.779-80)

Even if a job was for the purposes of organised religion, two further tests applied:

In the first test the requirement must be applied to comply with the doctrines of the religion. We do not believe that that test would be met in relation to many posts. It would be very difficult for a church to argue that a requirement related to sexual orientation applied to a post of cleaner, gardener or secretary. Religious doctrine rarely has much to say about posts such as those. (c.780)

In the second test:

There the church will have to show that the requirement related to sexual orientation is necessary, because of the nature of the employment and the context in which it is carried out, so as to avoid conflicting with the strongly held religious convictions of a significant number of the religion's followers ...”. (c.780)

He emphasised both elements of the second test must be satisfied and that they too would apply to very few cases. Lord Lester asked:

My Lords, I realise that the Minister intends to move on to another aspect. He used the word “necessary”. What he said was that it had to be shown to be “necessary” in terms of Regulation 7(3)(b) too. Where is that word to be found, and how can the proportionality test be read into the words of the provision? (c.780)

Lord Sainsbury thought it followed clearly:

My Lords it is necessary to be shown that that is the case. That is clearly stated in Regulation 7(3). It says the paragraph applies only ‘where’—and therefore it is necessary that—those tests are applied. (c.780)

He reiterated, it was a very strict test that would apply to very few cases. The courts and tribunals would have to decide what constituted a significant number of a religion’s followers depending “on the circumstances of each case” (c.780-1).

He continued, there were two differences between 7(2) and 7(3):

First, Regulation 7(2) is of general application. It covers any employment where being gay, straight or bisexual is a genuine occupational requirement. By contrast, Regulation 7(3) applies only where employment is for the purposes of an organised religion and either religious doctrine or the nature and context of the job, together with the religious convictions of the religion’s followers, gives rise to a genuine occupational requirement. Regulation 7(3) then applies to very few jobs. (c.781)

The other difference was explained less clearly:

Secondly, Regulation 7(2) applies where sexual orientation is a genuine occupational requirement. In other words, one has to be gay, straight or bisexual to do the job. Regulation 7(3) applies where a requirement related to a sexual orientation is a genuine occupational requirement. It is slightly wider than Regulation 7(2) in that respect but reflects the wording of Article 4.1. (c.781)

He did not define the ‘requirement’ or how it ‘related’ to sexual orientation, but claimed it was necessary to avoid interference with Church doctrine. The Government was satisfied 7(3) was *intra vires* and that the courts and tribunals could interpret it in line with the Directive. He concluded:

We must not forget that there is no protection currently for those who experience harassment, discrimination or victimisation at work on grounds of their sexual orientation. These regulations are designed to outlaw that kind of unacceptable treatment for the first time. (c.781)

He hoped Lord Lester would reconsider.

Lord Lester was unmoved. He thanked the participants and emphasised his strong support for the Regulations. He saw no dispute in the need to balance competing interests. The debate reminded him of that on the Human Rights Bill when the churches had tried to obtain exemption from its provisions. The issue was whether 7(3) was based on strict criteria and was proportionate:

Regulation 7(2) is quite clear, because it uses as its touchstone the notion of proportionality. One has to be of a particular sexual orientation; there has to be a genuine and determining occupational requirement; and it must be proportionate to apply that requirement in the particular case. That would apply equally to a religious context or any other context. (c.782)

This was not the case in Regulation 7(3):

The vice, as I have described it, of Regulation 7(3) is one of over-breadth and vagueness. Leaving aside the vagueness of what is meant by “organised religion”, the vice in Regulation 7(3)(b), if one looks at it carefully, is that there are no words of limitation. [...] There is no requirement of a genuine occupational qualification, no requirement of proportionality, no strict test and no strict criteria. (cc.782-3)

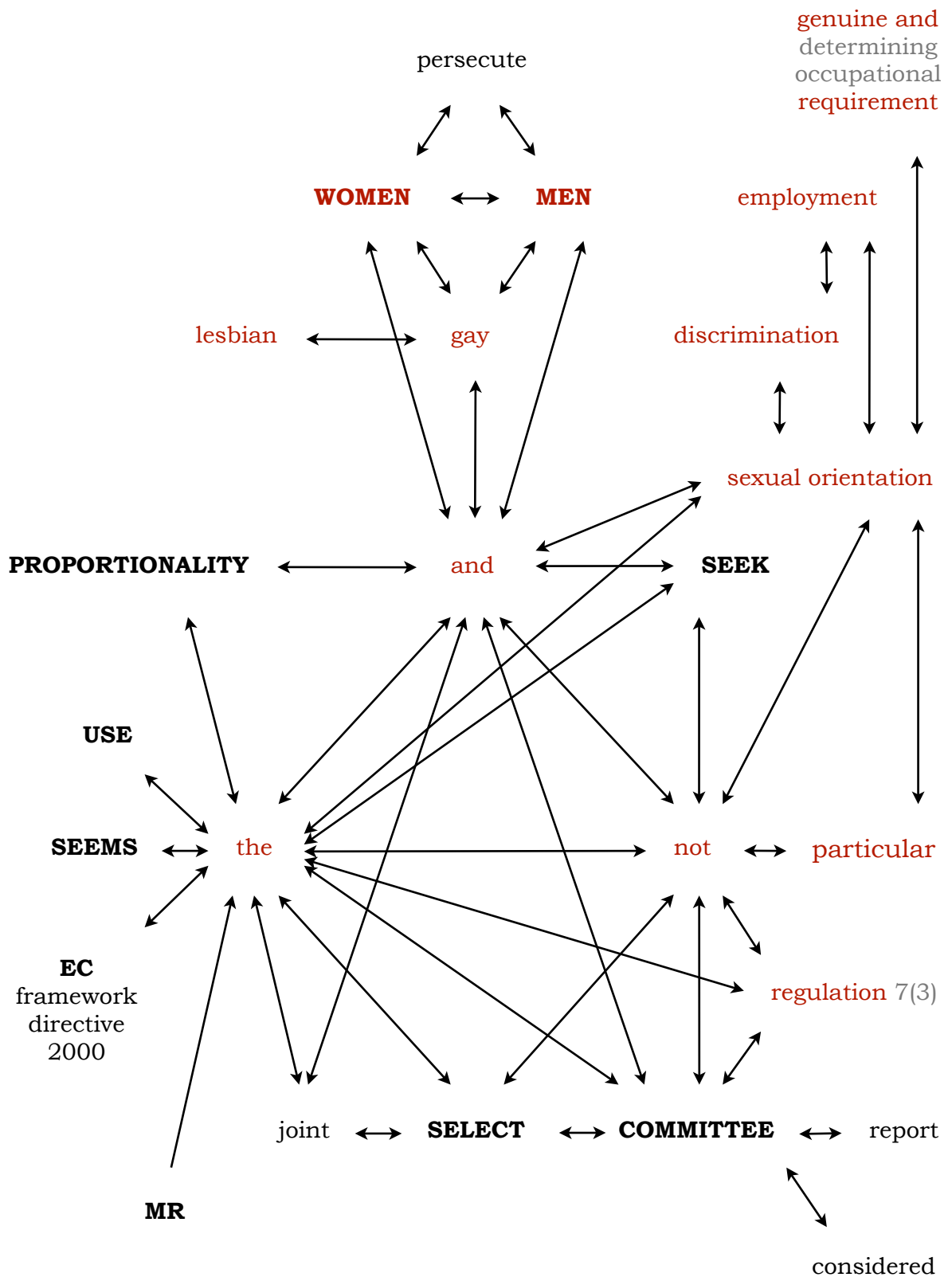
He agreed that a tribunal or court might interpret 7(3) in line with the Directive, but argued that it should be clear. The wording was not satisfactory.

Lord Lester was defeated by 85 to 50 votes. Eight Labour and five Conservative peers voted against their party to support withdrawal. Two Labour peers who voiced doubt about 7(3) abstained. Of the Bishops noted by Lord Mayhew to be present in “such impressive numbers” (c.773), only three actually voted—two in support of Lord Lester.

### **Words and Themes**

The following analyses focus on each side’s top-ten keywords (Appendices 67 & 68) and their collocates (Appendices 69 & 70). Core features of each side’s contributions to the debate are shown on Flowcharts 9 and 10 below.

Flowchart 9: Pro-withdrawal Keyword and Collocate Network



key: **BOLD CAPITALS**: keywords in the top ten

**BLACK CAPITALS**: keywords

**RED CAPITALS**: sexuality-term keywords and keywords collocating with sexuality terms

black lower case: keyword collocates

red lower case: sexuality terms and sexuality-term collocates

grey text: collocate of collocate(s)

On Flowchart 9, the pro-withdrawal keywords (Appendix 68) are largely discrete. Apart from *WOMEN* and *MEN* and *SELECT COMMITTEE*, the strands of argument are linked only by the keyword collocates *the*, *and*, *not* (Appendix 70). The upper part of the flowchart relates to discrimination and the lower part to the non-compliance of Regulation 7(3) with the Directive, while the keywords *SEEK*, *USE* and *SEEMS* modify statements in both strands of argument.

The lines for *WOMEN* and *MEN* (Appendix 71) relate to discrimination.

Most were spoken by Lord Alli in his criticisms of the CoE's intervention:

1	that a person working with lesbian women should be a lesbian, or that a person	LL 17.6.pro.txt
2	discrimination against gay men and women if those who seek to discriminate agai	LAl 17.6.pro.txt
3	minate and persecute gay men and women, and, if you are not, you cannot. Fran	LAl 17.6.pro.txt
4	se the lives of ordinary gay men and women as a crucible in which to play out the	LAl 17.6.pro.txt
5	rch seeks to persecute gay men and women. Even today, the right reverend Prelat	LAl 17.6.pro.txt
6	rly used to persecute good men and women. I fully accept the right of the Christi	LAl 17.6.pro.txt
7	discrimination against gay men and women by religious institutions?	LAl 17.6.pro.txt
8	ear prejudice which, if it were about women or people from different ethnic backg	BW 17.6.pro.txt
1	, or that a person working with gay men should be gay—must demonstrate that	LL 17.6.pro.txt
2	ontinued discrimination against gay men and women if those who seek to discrim	LAl 17.6.pro.txt
3	out, discriminate and persecute gay men and women, and, if you are not, you ca	LAl 17.6.pro.txt
4	seek to use the lives of ordinary gay men and women as a crucible in which to pl	LAl 17.6.pro.txt
5	the Church seeks to persecute gay men and women. Even today, the right rever	LAl 17.6.pro.txt
6	be unfairly used to persecute good men and women. I fully accept the right of th	LAl 17.6.pro.txt
7	actice of discrimination against gay men and women by religious institutions?	LAl 17.6.pro.txt

While neither 'discrimination' nor 'discriminate' are collocates, their presence in Lord Alli's lines with *persecute* places his focus firmly on anti-gay discrimination. Baroness Whitaker's line occurs in a comparison of everyday acceptance of anti-gay prejudice with the non-acceptance of that against other groups, while Lord Lester's lines occur in his clarification of the GOR exemption from discrimination under the Directive. More generally, the conditions under which discrimination on grounds of *sexual orientation* may or may not be lawful under the Directive feature in the lines for discrimination and related terms (Appendix 71A). Together they illustrate a clear "community of value judgments" (Voloshinov 2012: 165)

that anti-gay prejudice and discrimination are wrong and should not be lawful.

The lower part of Flowchart 9 relates to the legality of Regulation 7(3). Authoritative sources are prominent, notably the *EC Framework Directive* and *Joint SELECT COMMITTEE* on Statutory Instruments, though it is unlikely that *EC* would be a keyword without its repetition in the *Directive*'s title:

1	ation 7(3) so as to conform with the EC Framework Directive 2000/78/EC.	LL 17.6.pro.txt
2	EC Framework Directive 2000/78/ EC.	LL 17.6.pro.txt
3	osed on the United Kingdom by the EC Framework Directive 2000/78/EC. Beca	LL 17.6.pro.txt
4	EC Framework Directive 2000/78/ EC. Because the Government have chosen to	LL 17.6.pro.txt
5	Article 4(1) of the EC Framework Directive allows in very limite	LL 17.6.pro.txt
6	ation 7(3) so as to conform with the EC Framework Directive 2000/78/EC.—(Lor	LL 17.6.pro.txt
7	EC Framework Directive 2000/78/ EC.—(Lord Lester of Herne Hill.)	LL 17.6.pro.txt

These lines were spoken by Lord Lester. Having invited the Government to withdraw and amend the Regulations to comply with the *Directive*, he emphasised:

Because the Government have chosen to proceed by way of subordinate rather than primary legislation, the power to make those regulations is conferred by Section 2(2) of the European Communities Act 1972. That is a power to transpose the directive faithfully into our domestic law. If the regulations fail to do so because they would allow an employer to discriminate on grounds of sexual orientation in circumstances not permitted by the directive, they are beyond the powers conferred by Parliament in Section 2(2) and are unlawful. (c.751)

And he pointed out that:

Article 4(1) of the EC Framework Directive allows in very limited circumstances that a difference of treatment may be justified when a characteristic related to sexual orientation constitutes a, “genuine and determining occupational requirement. when the objective is legitimate and the requirement is proportionate”. That is known as the GOR—genuine occupational requirement—exception. (c.752)

Details of this argument are evident in the lines for *Directive* (Appendix 71B) and the GOR (Appendix 71C), plus those for *PROPORTIONALITY* (Appendix 71) which Lord Lester argued had not been applied to Regulation 7(3).

The lines for *SELECT* and *COMMITTEE* refer to the JCSI in 10/11 and 45/46 lines respectively (Appendix 71) and concern its doubts over 7(3)'s legality. A total of 31/45 lines for *COMMITTEE* occur in reports, for example:



9	them on a number of grounds. The committee's main concerns are with Regulation	LL 17.6.pro.txt
11	At paragraph 1.17 of its report, the committee concluded that there is doubt about	LL 17.6.pro.txt
13	lains its reasoning in this way. The committee stated: Against this background, the	LL 17.6.pro.txt
15	capture of the religion. It seems to the committee wholly within the bounds of possi	LL 17.6.pro.txt
17	be allowed by Regulation 7(3)". The committee went on: Yet it is open to question	LL 17.6.pro.txt
19	The Select Committee explained that Regulation 7(3)—I	LL 17.6.pro.txt
21	ligion concerned". It is, as the Joint Committee explains, important that Article 4	LL 17.6.pro.txt
23	The committee went on at paragraph 1.20 of the	LL 17.6.pro.txt
25	in paragraph 1.25 of its report. The committee considered that, in the light of Re	LL 17.6.pro.txt
33	, Lord Lea of Crondall, in the Select Committee: We are not aware of any cases in	LAv 17.6.pro.txt
35	As my noble friend said, the Select Committee has now reported that there is do	LAv 17.6.pro.txt
37	were considered by the Joint Select Committee on 3rd June, it had to make do w	LAv 17.6.pro.txt
41	I wish to cite. The report states: The Committee considered that regulation 7(2) w	LM 17.6.pro.txt
43	ment. Regulation 7(2) does and the committee was happy about that, but does R	LM 17.6.pro.txt
45	language that I have mentioned. The committee was worried about the provision b	LM 17.6.pro.txt

Ten of the 31 reports are direct quotes and six clearly paraphrase the JCSI report or its proceedings, while the remainder straightforwardly report its concerns with little 'pictorial infiltration' (Voloshinov 1986: 120-1). The JCSI proceedings are reported in the lines for *MR* (Appendix 71) in a similarly straightforward way.

Various strands of argument are modified by the keywords *SEEMS*, *USE* and *SEEK*. The first two lines for *SEEMS* (Appendix 71) occur in quotes from the JCSI report and thus illustrate the caution with which it phrased its doubts:

1	g to the structure of the religion. It seems to the committee wholly within the bo	LL 17.6.pro.txt
2	ment' in these circumstances there seems to the committee to be a doubt as to w	LL 17.6.pro.txt

In five lines *SEEMS* personalises the speakers view which de-objectifies comment:

4	It seems to me that the Church of England, wh	LAl 17.6.pro.txt
6	address if I were to do so. The point seems to me to be a very narrow one; it is wh	LM 17.6.pro.txt
7	It seems to me that one starts with looking at A	LM 17.6.pro.txt
8	the committee's evidence taking, it seems to me that there was revealed a very s	LM 17.6.pro.txt
10	I just want to say that it seems to me that Regulation 7(3) does not al	BW 17.6.pro.txt

In three lines *SEEMS* prefaces and thus softens criticism:

3	gh for his critics to want him out. It seems irrelevant that he might be the best m	LAl 17.6.pro.txt
5	these days, the Government's idea seems to be to pile it on with the minimum ti	LAv 17.6.pro.txt
9	At the moment it seems that, in this rather passionate debate,	LM 17.6.pro.txt

The lines for *USE* also occur in criticisms. Where *USE* is a noun, agency is

obscured (Baker 2006: 165-6) and thus the criticism oblique. Lord Lester's lines imply that the Government had made *unusual or unexpected USE* of its powers and that *USE* of 'etc' in the heading of Regulation 7 was obfuscatory:

1           make some unusual or unexpected use of the powers conferred by the statute u       LL 17.6.pro.txt  
2           lation 7(3) may be explained by the use of the word "etc ". The heading refers to,       LL 17.6.pro.txt

The Bishop of Worcester's criticism was more direct but agency is ambiguous:

3           e. However, I find unacceptable the use of phrases such as "beliefs" and "signific       BoW 17.6.pro.txt

Agency is more obvious where *USE* is a verb. Lord Alli's criticism of organised religion is softened by *SEEK to*—which reduces *USE* to an intention, while his criticism of the Bishops is modified by *try to*—which reduces *USE* to an attempt:

1           ther organised religions who seek to use the lives of ordinary gay men and women       LAl 17.6.pro.txt  
2           Bishops' Benches that if they try to use the privilege that they enjoy—the extraor       LAl 17.6.pro.txt

Lord Avebury's line criticises the Government by proxy in highlighting the JCSI's unprecedented *USE* of its power:

3           Committee has ever had occasion to use this power before. It also criticises the G       LAv 17.6.pro.txt

In Lord Mayhew's lines, *USE* distances him from Lord Lea's words:

7           he other hand the technicalities—to use his word—of the means by which that obj       17.6.pro.txt  
8           y difficult subject. To transpose—to use the word used by the noble Lord, Lord Lea       17.6.pro.txt

Caution in the lines for *SEEK* is evident its modification of the main verb in 8/11 lines which reduces the action to intent. In 2/8 lines this modifies criticisms of the Government:

2           ued that the regulations should not seek to meddle with matters of religious doct       LL 17.6.pro.txt  
4           ed to fairness and equality—should seek to allow the continued discrimination a       LAl 17.6.pro.txt

It modifies criticisms of organised religion 2/8 lines:

5           st gay men and women if those who seek to discriminate against them believe in       LAl 17.6.pro.txt  
6           d and other organised religions who seek to use the lives of ordinary gay men an       LAl 17.6.pro.txt

In one line, the modification prefaces self-depreciation:

7 ing at this point, therefore, I do not seek to give to my words and arguments the BoW 17.6.pro.txt

In 3/8 lines the intent is more neutral within the critical statement:

8 ate to the problem with which they seek to deal. I shall support the noble Lord's BoW 17.6.pro.txt

9 him that a tribunal or court might seek to read down Regulation 7(3) in the way LL 17.6.pro.txt

10 gulations. My plea this evening is to seek to avoid the courts having to remake th LL 17.6.pro.txt

Two-thirds of the lines for *SEEMS*, *USE* and *SEEK* were spoken by peers at odds with the position of their party or Church (Lord Alli; Bishop of Worcester; Lord Mayhew; Baroness Whitaker), which may account for their caution. Liberal Democrat peers (Lord Lester; Lord Avebury) supported their party, which may account for their stronger criticism of the Government and major focus on the legality of 7(3), while Lord Alli criticised the CoE rather than the Government.

\* \* \*

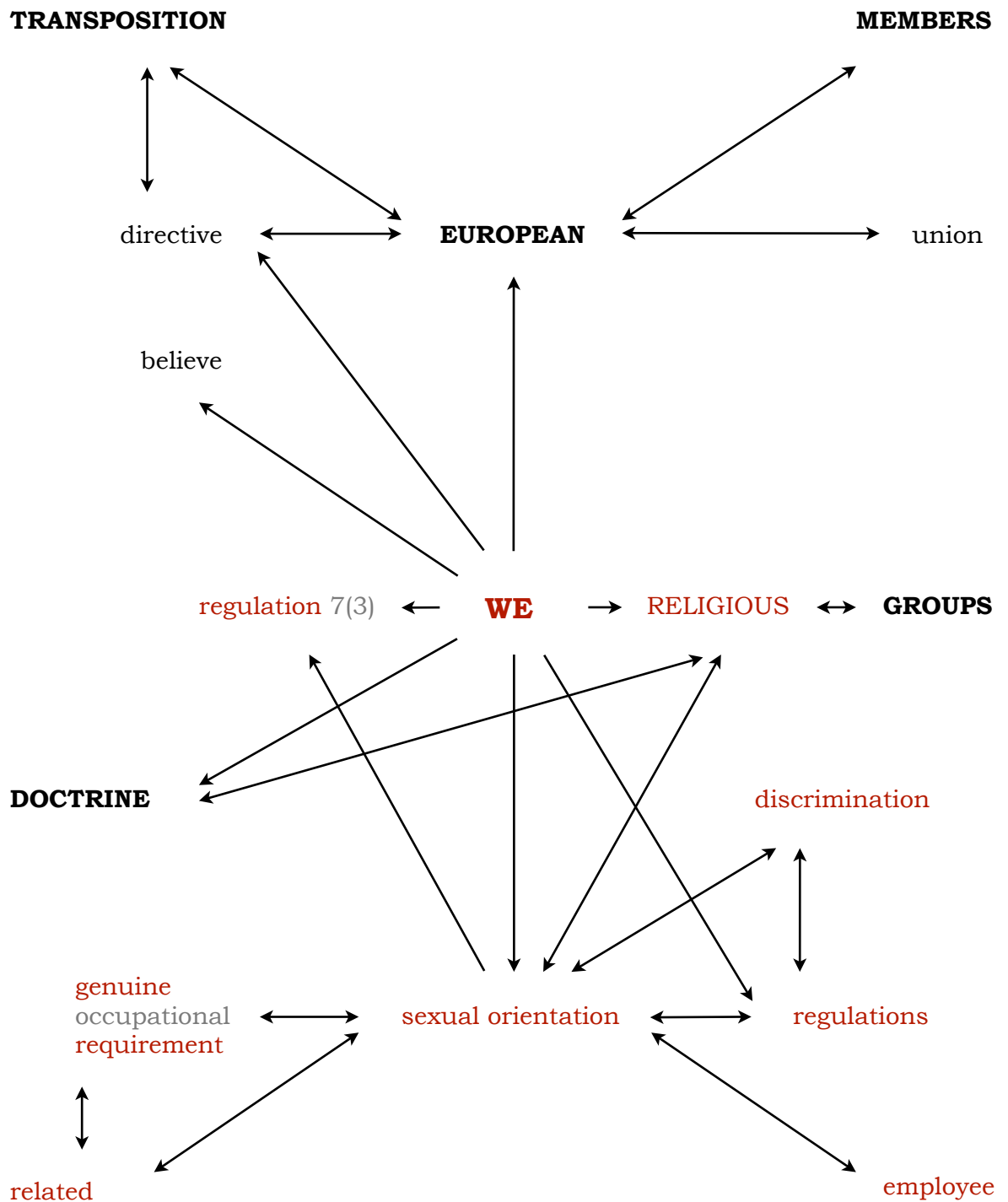
On Flowchart 10, the anti-withdrawal keywords (Appendix 67) and collocates (Appendix 69) on the left side of the chart relate mainly to the Labour speakers, while those on the right relate to the Conservative speakers and the Bishop of Blackburn. The keywords down the centre were used by both groups with no great imbalance.

The pivotal keyword *WE* shows both groups of speakers were claiming common ground (van Dijk 2008: 170-1). Of the 73 concordance lines (Appendix 72), 36 were spoken by conservatives and 37 by Labour speakers. *WE* refers to:

Conservative references of <i>WE</i>		Labour references of <i>WE</i>
<i>the CoE</i> (11 lines)	<i>the Evangelical Alliance</i> (3 lines)	<i>The Lords</i> (23 lines)
<i>the Lords</i> (11 lines)	<i>generalised WE</i> (1 line)	<i>The Government</i> (14 lines)
<i>Conservatives</i> (5 lines)	<i>the country</i> (England/UK?)(1 line)	
<i>England</i> (4 lines)		

Most conservative lines were spoken by the Bishop of Blackburn and Baroness Miller. *WE* refers to the CoE in 11/12 of the Bishop's lines, and occurs largely in modified denials of *discrimination* and justifications for 7(3):

Flowchart 10: Anti-withdrawal Keyword and Collocate Network



key: **BOLD CAPITALS**: keywords in the top ten  
**BLACK CAPITALS**: keywords  
**RED CAPITALS**: sexuality-term keywords and keywords collocating with sexuality terms  
 black lower case: keyword collocates  
 red lower case: sexuality terms and sexuality-term collocates  
 grey text: collocate of collocate(s)

7	s. That is not a code for saying that we seek special treatment. It is simply an ec	BoB 17.6.anti.txt
8	s, to the extent of it suggesting that we are keen to dismiss gay clergy and staff. P	BoB 17.6.anti.txt
9	ber caused much concern and why we believe that the new regulations are bette	BoB 17.6.anti.txt
10	ebate in many faith communities as we ponder how to respond to the rapid chan	BoB 17.6.anti.txt
11	here are no circumstances in which we would wish to be able to discriminate agai	BoB 17.6.anti.txt
12	on as such. I feel like repeating that. We do not have posts or orders where there i	BoB 17.6.anti.txt
13	osexual, or indeed homosexual. But we do have some posts and orders where, irr	BoB 17.6.anti.txt
14	by itself does not give the protection we need because it applies only where being	BoB 17.6.anti.txt
15	the Church where that is required. We have no intention of discriminating again	BoB 17.6.anti.txt
16	cern at the earlier draft regulations. We welcome the way in which the Governme	BoB 17.6.anti.txt
17	ployment of cleaners or librarians—we do not employ many of the latter in the D	BoB 17.6.anti.txt

The lines illustrate the Bishop's defensiveness. Baroness Miller's lines are more strident. In five lines *WE* refers to the Lords in blaming the Government for allowing the EU to dictate national policy:

18	the first of the two regulations that we are considering this evening. The regulati	BM 17.6.anti.txt
19	ns that apply to religious employers. We now have these regulations that are inten	BM 17.6.anti.txt
20	n regulations—the next matter that we shall debate—as it is in the sexual orienta	BM 17.6.anti.txt
21	the sexual orientation regulations. We would not have started from here if all of	BM 17.6.anti.txt
22	of that had not happened. However, we are here.	BM 17.6.anti.txt

In four lines *WE* refers to the Lords in arguing that they were being asked to approve protection of the *employee* at the expense of the employer:

23	We may not agree with such a prejudiced vie	BM 17.6.anti.txt
24	ing the operation of Regulation 7. If we go by the precedent of previous anti-discr	BM 17.6.anti.txt
25	ew type of discrimination for which we are being asked to legislate today. An em	BM 17.6.anti.txt
26	e would apply to his or her religion. We could therefore find a person being refus	BM 17.6.anti.txt

Five more lines occur in her summary of the official Conservative position:

28	To sum up, we find these regulations to be poorly and a	BM 17.6.anti.txt
29	poorly and ambiguously drafted but we think that they are the best of a bad job,	BM 17.6.anti.txt
31	—he said that he probably would—we will not be able to support him. Similarly,	BM 17.6.anti.txt
32	imilarly, and with equal reluctance, we will support the passage of these regulati	BM 17.6.anti.txt
33	rt the passage of these regulations. We very much hope that the adverse conseq	BM 17.6.anti.txt

Her lines are strongly critical of the *Regulations* and emphasise the reluctance with which Conservatives supported them.

The Labour lines for *WE* are more focused on legality. In Lord Lea's lines *WE* refers to the Lords in his attempt to redirect debate to the vires of 7(3):

37 , one of them is ultra vires, since all we ought to be debating tonight is whether w LL 17.6.anti.txt  
 38 ht to be debating tonight is whether we agree about the question of doubt about t LL 17.6.anti.txt  
 39 t about the vires of Regulation 7(3). We should not be having the broad debate th LL 17.6.anti.txt  
 40 not be having the broad debate that we seem to be getting into. We should not be LL 17.6.anti.txt  
 41 ate that we seem to be getting into. We should not be raising the stakes of tonigh LL 17.6.anti.txt  
 42 t. In fact, it is quite remarkable that we are having this debate on the transpositio LL 17.6.anti.txt  
 43 is no argument about the fact that we are transposing a European directive. The LL 17.6.anti.txt  
 44 touching on—but broadly speaking, we all know that we are transposing a Europ LL 17.6.anti.txt  
 45 broadly speaking, we all know that we are transposing a European directive with LL 17.6.anti.txt  
 46 with very little wriggle-room for how we transpose it. LL 17.6.anti.txt  
 47 The only wriggle-room for how we transpose European directives is to some LL 17.6.anti.txt  
 48 in a sense, it does not matter what we do tonight, and the reason why industrial LL 17.6.anti.txt  
 49 hen it is clearly a step forward, or if we do the opposite, to say that it is a leap fur LL 17.6.anti.txt

He focused on the *TRANSPOSITION* of the *Directive* and the need for tribunals and courts to interpret *Regulation 7(3)* case by case. In Lord Brennan's lines *WE* also refers to the Lords. His claim that the Human Rights Act provides no right of protection against *discrimination* "of the kind we are debating" indicates disdain:

50 inst discrimination of the kind that we are debating this evening. That is why the LB 17.6.anti.txt

He claimed 7(3) was compatible with existing laws related to religious employers:

51 hin each member state. In addition, we must bear in mind that the law in this co LB 17.6.anti.txt

And that the Government had done its best in balancing competing interests:

52 that they have done their best and we should agree to the regulations. LB 17.6.anti.txt

Lord Lea's and Lord Brennan's uses of *ought to*, *should not*, *must*, *should* suggest impatience with the direction of debate. The remaining 21 lines were spoken by Lord Sainsbury who took a more patient approach. His lines where *WE* refers to the Lords occur in appeals that caution, concede and cajole:

53 regulations and to clarify its scope. We have a duty to think very carefully indeed LS 17.6.anti.txt  
 54 sensitive matter, and it is right that we should consider the evidence set out by t LS 17.6.anti.txt  
 61 the sexual orientation regulations. We have to draw a careful line between the t LS 17.6.anti.txt  
 63 ns can be taken into account. What we are debating this evening is exactly where LS 17.6.anti.txt  
 69 t such religious convictions. I think we would all agree that that would not be pr LS 17.6.anti.txt  
 72 I understand entirely why we have focused in this debate on the provisi LS 17.6.anti.txt  
 73 s, it is, of course, only a small part. We must not forget that there is no protectio LS 17.6.anti.txt



58 In the same way we do not believe that these regulations shou LS 17.6.anti.txt  
 59 igious teachings or doctrine, nor do we believe it appropriate that doctrine shoul LS 17.6.anti.txt  
 62 employment directive. I believe that we have succeeded in doing that. LS 17.6.anti.txt  
 65 aining consistent with the directive. We believe that Regulation 7(3) is lawful beca LS 17.6.anti.txt  
 67 ly with the doctrines of the religion. We do not believe that that test would be met LS 17.6.anti.txt

This ties in with the Government’s argument that 7(3) would have to be tested in the courts and Lord Brennan’s implication that it might be difficult to defend.

The other central anti-withdrawal keyword on Flowchart 10 is *EUROPEAN*.

The nouns to which it applies clearly demarcate each group’s concerns:

Conservative applications of <i>EUROPEAN</i>		Labour applications of <i>EUROPEAN</i>
<i>Union</i> (5 lines)	<i>committee</i> (1 line)	<i>Directive</i> (9 lines)
<i>Communities Act</i> (2 lines)	<i>Directive</i> (1 line)	<i>directives</i> (1 line)

As with the reference of *WE*, the conservative applications are less cohesive and those of Labour more focused. Lord Pilkington’s lines occur in his argument that England should follow other countries’ example:

1 ight. The noble Baroness sat on the European committee, as I did, together with LP 17.6.anti.txt  
 2 mittee, as I did, together with many European Union members. England is not al LP 17.6.anti.txt  
 3 ith the governments of a number of European Union countries. I do not have the LP 17.6.anti.txt  
 7 d that various other members of the European Union are actually implementing t LP 17.6.anti.txt  
 8 to accept that other members of the European Union—for example, Ireland or Ge LP 17.6.anti.txt  
 9 my question. What is the rest of the European Union doing? LP 17.6.anti.txt

The Bishop of Blackburn’s line occurs in his claim that the Directive allowed a provision such as 7(3) to be made:

4 paragraph 24 of the preamble of the European directive in relation to the status o BoB 17.6.anti.txt

Baroness Miller’s lines oppose a human-rights professor to Lord Lester:

5 at Regulation 7(3) is ultra vires the European Communities Act. I certainly woul BM 17.6.anti.txt  
 6 at Regulation 7(3) is ultra vires the European Communities Act. The Governme BM 17.6.anti.txt

In fact it was compliance with the *Directive* that was required.

In the Labour lines, *EUROPEAN* was consistently applied to *Directive*. Lord Lea spoke 9/10 lines in his effort to refocus the debate on legality:



10 of the vires of the transposition of a European directive. The temperature of the d LL 17.6.anti.txt  
 11 y making points that imply that the European directive transposition gives us a l LL 17.6.anti.txt  
 12 his debate on the transposition of a European directive, because there is no argu LL 17.6.anti.txt  
 13 t the fact that we are transposing a European directive. The noble Baroness, Lad LL 17.6.anti.txt  
 14 all know that we are transposing a European directive with very little wriggle-ro LL 17.6.anti.txt  
 15 wriggle-room for how we transpose European directives is to some extent what i LL 17.6.anti.txt  
 16 following Articles 4.1 and 4.2 of the European Directive. For those noble Lords w LL 17.6.anti.txt  
 17 f what is stated in Article 4.1 of the European Directive of which this is the trans LL 17.6.anti.txt  
 18 a very important transposition of a European directive and it is unreasonable fo LL 17.6.anti.txt

Lord Sainsbury stressed that the Directive did allow religion to be considered:

19 xtreme positions. Article 4(1) of the European directive is quite clear that religiou LS 17.6.anti.txt

While conservative speakers were protecting *religious* privilege, Labour speakers were defending the legality of Government capitulation to the CoE lobby.

From what did religion need protection? The anti-withdrawal lines for *discrimination* and related terms (Appendix 72A) are indicative. The Bishop of Blackburn's lines occur in his defence of protection for religion:

2 It is an undoubted anomaly that discrimination against Jews and Sikhs has u BoB 17.6.anti.txt  
 3 as a religious community, whereas discrimination against Muslims, Hindus or C BoB 17.6.anti.txt  
 4 employer. In respect of the religious discrimination regulations, that much is sur BoB 17.6.anti.txt  
 5 stances would constitute unlawful discrimination. BoB 17.6.anti.txt  
 7 ld be open to challenge as unlawful discrimination if it were not for Regulation 7( BoB 17.6.anti.txt

And his disclaimers of discrimination and prejudice:

6 viding proper protection against the discrimination which gay and lesbian people BoB 17.6.anti.txt  
 1 which we would wish to be able to discriminate against people on the grounds o BoB 17.6.anti.txt  
 1 is required. We have no intention of discriminating against anyone simply becaus BoB 17.6.anti.txt  
 2 mphatically not about pandering to prejudices. The provision comes into play onl BoB 17.6.anti.txt  
 1 has not been. It is also wrong that prejudiced views about sexual orientation ha BoB 17.6.anti.txt

Over half Baroness Miller's lines undermine the validity of the Regulations:

12 radoxically, the regulations prohibit discrimination on the grounds of the sexual BM 17.6.anti.txt  
 13 of an employee but do not prohibit discrimination on the grounds that the empl BM 17.6.anti.txt  
 14 iased way in which this type of anti-discrimination legislation is framed. All empl BM 17.6.anti.txt  
 15 is a difference in principle between discrimination on the grounds of a person's s BM 17.6.anti.txt  
 16 n's sex or race and this new type of discrimination for which we are being asked BM 17.6.anti.txt  
 1 she is not married. That in itself is discriminatory, but typical of the biased way BM 17.6.anti.txt  
 3 may similarly want to object and to discriminate against persons who live togeth BM 17.6.anti.txt

Including her assertion that they would lead to false claims for compensation:

17        nching a claim that it was a case of discrimination on the grounds of his sexual        BM 17.6.anti.txt  
 18        y plausible case of the possibility of discrimination, that employer is faced with t        BM 17.6.anti.txt  
 2        go by the precedent of previous anti-discriminatory regulations, I fear that these r        BM 17.6.anti.txt

Yet she virulently disclaimed prejudice and discrimination:

1        sonable, indeed, unreasoning, blind prejudice. However, those of us—I include m        BM 17.6.anti.txt  
 2        We may not agree with such a prejudiced view but—this is the important pa        BM 17.6.anti.txt  
 1        rove of what might be described as bigotry and unreasonable, indeed, unreasoni        BM 17.6.anti.txt  
 22        America and Ireland". Deplorable as discrimination on grounds of sexual orientati        BM 17.6.anti.txt

The lines suggest it had become necessary, or politic, to deny prejudice and that discrimination was becoming increasingly difficult to justify. Condemnation of prejudice and discrimination against non-heterosexual people was becoming an ‘official ideology’ (Voloshinov 2012: 144-6) undermined by residual homophobic beliefs. As such it constituted a challenge to strands of *religious DOCTRINE*. In Bakhtin’s (1981: 270-2) terms, an equal treatment ideology that included ‘sexual orientation’ had become an authoritative and centralising ‘centripetal’ discourse, while the ‘centrifugal’ forces of homophobic belief festered under the surface.

### Views of Sexuality

Unlike previously analysed debates, terms related to sexuality are absent from both keyword lists which indicates no significant imbalance of use.

Abstract Nouns	Adjectives	Nouns for People
sexual orientation	gay	lesbian
orientation	lesbian	gays
homosexual orientation	bisexual	homosexuals
sexuality	homosexual	heterosexuals
homosexuality	straight	
sex (in reference to gender)	heterosexual	
	sexual (excluding orientation)	

Abstract nouns were the most used terms. Pro-withdrawal speakers used 13/17

terms and anti-withdrawal speakers 12/17 terms. Apart from *sexual orientation* and *gay* the frequencies are low. The former was more used by anti-withdrawal speakers, the latter by pro-withdrawal speakers. On the anti-withdrawal side, Labour speakers used more adjectives and conservatives more abstract nouns. Although the *Sexual Orientation* in the Regulations' title was defined inclusively (*lesbian/gay/bisexual/heterosexual*), this was little represented in the reference of its use. The terms are investigated via their collocates (Appendix 73 & 75) and concordance lines (Appendix 74 & 76) in each lexical category in turn.

\* \* \*

*Sexual Orientation* was the most used term, proportionately more so by anti-withdrawal speakers:

ABSTRACT NOUNS	Total Uses	Pro-withdrawal Uses	Pro-withdrawal % Debate Words	Anti-withdrawal Uses	Anti-withdrawal % Debate Words
sexual orientation	58	26/58 (44.8% total) 7/26 (26.9%uses)	56%	32/58 (55.2% total) 5/32 (15.6%uses)	44%
orientation	8	1/8 (12.5% total) 1/1 (100%uses)	56%	7/8 (87.5% total)	44%
homosexual orientation	1	0	56%	1/1 (100% total)	44%
sexuality	7	7/7 (100% total)	56%		44%
homosexuality	4	2/4 (50% total) 2/2 (100%uses)	56%	2/4 (50% total)	44%
sex (in reference to gender)	9	3/9 (33.3% total) 1/3 (33.3%uses)	56%	6/9 (66.7% total)	44%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use

The anti-withdrawal uses of *sexual orientation* are supplemented by conservative speakers' uses of *orientation*. The co-text of each conservative concordance line (Appendix 74) indicates the term's reference:

CONSERVATIVE ANTI-WITHDRAWAL SPEAKERS
Reference of <i>sexual orientation</i> : non-heterosexual/linked to discrimination (15 lines) potentially inclusive/applied to the Regulations (3 lines) heterosexual and homosexual (2 lines)
Reference of <i>orientation</i> : heterosexual and homosexual (3 lines) generalised (2 lines) non-heterosexual/linked to discrimination (1 line) potentially inclusive/applied to the Regulations (1 line)
<i>homosexual orientation</i> (1 line)

Lord Pilkington did not use any terms related to sexuality. Given the centrality of *sexual orientation* to the debate, this suggests an inability or refusal to engage with its concepts, contexts and implications. Four of the Bishop of Blackburn's lines refer to non-heterosexual *orientation* and occur in statements that distance the CoE from prejudice and discrimination:

It is also wrong that prejudiced views about **sexual orientation** have been able to deny people employment. (c.758)

In relation to **sexual orientation**, the arguments, unsurprisingly, become more contentious. There has been a good deal of misrepresentation in the press about the position of a wide range of faith communities, to the extent of it suggesting that we are keen to dismiss gay clergy and staff. (c.758)

As regards the Church of England—and I believe that this will be true for many of the Christian denominations and other faiths—there are no circumstances in which we would wish to be able to discriminate against people on the grounds of their **orientation** as such. I feel like repeating that. (c.759)

We have no intention of discriminating against anyone simply because of their **sexual orientation**. (c.759)

Four lines refer to *heterosexual* and *homosexual orientation* and occur in his separation of *sexual orientation* from sexual conduct that allowed discrimination to be denied in the former while being implicit in the latter:

Churches and faith communities need to retain a broad measure of freedom to determine their own requirements in relation to the sexual conduct—not **orientation**—of those who wish to serve or represent them. (c.758)

A difficulty immediately arises as a result of the varying ways in which **sexual orientation** can be used. (c.759)

We do not have posts or orders where there is a requirement to be heterosexual, or indeed homosexual. But we do have some posts and orders where, irrespective of **sexual orientation**, be it heterosexual or homosexual, the requirement remains for marriage or abstinence. (c.759)

The tribunals are unlikely to recognise a clear distinction between **orientation** and behaviour manifesting **orientation**. That is the difficulty. (c.759)

Twelve of Baroness Miller's lines refer to non-heterosexualities and occur in arguments that undermine the validity of protection against discrimination on grounds of *sexual orientation*. Her first line blames the Government for empowering the EU to legislate against such discrimination:

The regulations stem from when the Government decided to sign up to Article 13 of the Treaty of Amsterdam in 1997. For the first time that gave the EU power to legislate in the area of religious and **sexual orientation** discrimination. Prior to that it could not happen. (c.760)

In fact, she supported protection against religious discrimination but repeatedly devalued the protection against discrimination on grounds of *sexual orientation* and by implication the people affected. Four lines occur in her summary of Lord Lester's speech, the last two of which skew his argument:

The objection by the noble Lord, Lord Lester—to reduce it, if I may, in my words to its simplest terms—is that it would permit discrimination not only on the grounds of the **sexual orientation** of, for example, clergy and teachers but also on the grounds of the **sexual orientation** of an office clerk or, as he said, the cleaning lady or caretaker who may never come into contact with students or worshippers in the course of their duties. (c.762)

Rather than all such discrimination being ultra vires as Lord Lester argued, this implies that non-heterosexual people should not be in posts that entail contact with “students or worshippers”. A subsequent line displays complete non-recognition of homophobic discrimination:

Paradoxically, the regulations prohibit discrimination on the grounds of the **sexual orientation** of an employee but do not prohibit discrimination on the grounds that the employee is living with a member of the opposite sex to whom he or she is not married. That in itself is discriminatory, but typical of the biased way in which this type of anti-discrimination legislation is framed. (c.762-3)

Apart from the trivialising comparison with heterosexual cohabitees, this implies that non-heterosexual people had been unfairly selected for protection. Four more lines occur in her argument that the Regulations placed an unfair burden on employers, two of which position non-heterosexual people as dishonest:

There is a difference in principle between discrimination on the grounds of a person's sex or race and this new type of discrimination for which we are being asked to legislate today. An employer would have no doubt about a employee's sex—at least, I hope he would not—or, in most cases, his or her race; but there would be no way that an employer could be certain of the **sexual orientation** of an employee or a potential employee. The same would apply to his or her religion. We could therefore find a person being refused employment or dismissed on perfectly normal grounds, and then launching a claim that it was a case of discrimination on the grounds of his **sexual orientation**—of which the employer was not even aware.

Your Lordships will not have overlooked the fact that under this type of legislation, once the employee has established a mildly plausible case of the possibility of discrimination, that employer is faced with the almost impossible task of proving the negative. In following these directives, we have imported the concept of guilty until proved innocent. (c.763)

Her reference to “this new type of discrimination” alludes to its previously taken-for-granted status and as such is dismissive. Similarly, the launching of a false claim is suggested only on grounds of *sexual orientation* despite her recognition that an employer may be uncertain of an employee's religion. Two more lines present the protection of *(homo)sexual orientation* from discrimination as an infringement of others' rights and by implication homophobic beliefs:

I am certain that every Member of your Lordships' House would strongly disapprove of what might be described as bigotry and unreasonable, indeed, unreasoning, blind prejudice. However, those of us—I include myself in this number—who wish to protect the rights of various minorities, in this case those of **homosexual orientation**, must not at the same time overlook the rights of other members of the community. (c.762)

Deplorable as discrimination on grounds of **sexual orientation** undoubtedly is, respect must be given to the genuinely and sincerely held beliefs of others. Surely we should not trample over those rights on account of an academic, technical argument about the validity of the exception. (c.764)

The first of these disclaimers occurs with her citing of Leviticus, while her use of *trample* in the second casts the discrimination inherent in 7(3) as valid. Her lines mark a preoccupation with invalidating the *Sexual Orientation* Regulations. They occur in convoluted messages that condemn discrimination and deny prejudice but devalue protective legislation. The above two lines also imply ‘homosexual’ people overlook and disrespect the rights and beliefs of religion.

In the Labour anti-withdrawal lines (Appendix 74) the references of *sexual orientation* are potentially more inclusive of heterosexuality:

LABOUR ANTI-WITHDRAWAL SPEAKERS
Reference of <i>sexual orientation</i> : indeterminate/requirement related to (5 lines) non-heterosexual/linked to discrimination (2 lines) potentially inclusive/applied to the Regulations (3 lines) indeterminate/exception to equality (1 line) inclusive/gay, straight or bisexual (1 line)

Lord Lea's line reports the GOR provision where, as a characteristic known to be the target of discrimination, the reference is to non-heterosexuals:

The Equality Directive provides that Member States may provide that a difference of treatment which is based on a characteristic related to religion, belief, disability, age or **sexual orientation**, shall not constitute discrimination where, by reason of the nature of the particular occupational activities or the context in which they are carried out, such a characteristic constitutes a genuine and determining occupational requirement. (c.772)

The other 11 lines were spoken by Lord Sainsbury. One line acknowledges the exception to equality, but another offsets it against the protection offered by Regulations as a whole. The reference of *sexual orientation* is indeterminate in the former but refers to non-heterosexuals in the latter:

We have a duty to think very carefully indeed before making any exception for equality legislation. A provision that concerns the **sexual orientation** of people employed for the purpose of organised religion is clearly a particularly sensitive matter, and it is right that we should consider the evidence set out by the Joint Committee on Statutory Instruments in its 21st report of 2002–03 before going on to consider the merits of the regulations as a whole. (c.777)

I understand entirely why we have focused in this debate on the provisions in Regulation 7 (3). While an important part of the regulations, it is, of course, only a small part. We must not forget that there is no protection currently for those who experience harassment, discrimination or victimisation at work on grounds of their **sexual orientation**. (c.781)

Five lines then occur in his defence of Regulation 7(3) where the unspecified *requirement related to sexual orientation* has indeterminate reference and equality on grounds of *sexual orientation* does not clearly apply:

It is quite clear that Regulation 7(3) does not apply to all jobs in a particular type of organisation. On the contrary, employers must be prepared to justify any requirement related to **sexual orientation** on a case by case basis. The rule only applies to employment which is for the purposes of “organised religion”, not religious organisations. There is a clear distinction in meaning between the two. A religious organisation could be any organisation with an ethos based on religion or belief. However, employment for the purposes of an organised religion clearly means a job, such as a minister of religion, involving work for a church, synagogue or mosque. (c.779)

Regulation 7(3) does not stop there. Even if an employer can show that the job exists for the purposes of organised religion, and that is a significant hurdle, he may only apply a requirement related to **sexual orientation** if one of two further tests are met. (c.780)

In the first test the requirement must be applied to comply with the doctrines of the religion. We do not believe that that test would be met in relation to many posts. It would be very difficult for a church to argue that a requirement related to **sexual orientation** applied to a post of cleaner, gardener or secretary. Religious doctrine rarely has much to say about posts such as those. (c.780)

If the first test is not met, what about the second? There the church will have to show that the requirement related to **sexual orientation** is necessary, “because of the nature of the employment and the context in which it is carried out, so as to avoid conflicting with the strongly held religious convictions of a significant number of the religion’s followers ...”. I shall dispel one or two myths. It is neither sufficient for the requirement to be imposed simply because of the nature of the work and the context in which it is carried out, nor may the requirement be imposed simply because of the religious convictions of the followers of the faith. Both elements have to be satisfied before the second test can be met. They are strict tests and will be met in very few cases. (c.780)

Regulation 7(3) applies where a requirement related to a **sexual orientation** is a genuine occupational requirement. It is slightly wider than Regulation 7(2) in that respect but reflects the wording of Article 4.1. (c.781)

According to the Bishop of Blackburn, the *requirement related to* “marriage or abstinence” (c.759). While ‘abstinence’ could apply to any *sexual orientation*, in 2003 ‘marriage’ did not; it skewed the CoE *requirement* towards heterosexuality. The ‘skew’ became explicit in 2014 when, after the Marriage (Same-Sex Couples) Act 2013, CoE bishops banned gay clergy from marrying (McCormick 15.2.2014). The first member of the clergy to marry “had his permission to officiate revoked [and began] legal proceedings against the CoE” (*ibid* 9.9.2014). He has lost his case (Duffy 4.11.2015). Despite Lord Sainsbury’s emphasis on strict conditions,



Regulation 7(3) clearly allows anti-gay discrimination and clearly renders the CoE *requirement* for marriage hypocritical. It also places the CoE above the law. In just one of Lord Sainsbury's lines the reference of *sexual orientation* is clearly inclusive as in the Regulations' definition:

Secondly, Regulation 7(2) applies where **sexual orientation** is a genuine occupational requirement. In other words, one has to be gay, straight or bisexual to do the job. (c.781)

His inclusion of *straight* suggests he was aware of the intended application of 7(3), which perhaps accounts for his lack of clarity in explaining it.

\* \* \*

The reference of *sexual orientation* and *sexuality* in the pro-withdrawal lines (Appendix 76) is largely indeterminate:

PRO-WITHDRAWAL SPEAKERS	
Reference of <i>sexual orientation</i> :	non-heterosexual/linked to discrimination or prejudice (9 lines) indeterminate/characteristic or requirement related to (7 lines) generalised (6 lines) indeterminate/applied to the Regulations (3 lines) indeterminate/linked to no difference in treatment (1 line)
Reference of <i>orientation</i> :	generalised (1 line)
Reference of <i>sexuality</i> :	generalised (3 lines) indeterminate/requirement relating to (2 lines) non-heterosexual/linked to discrimination (2 lines)

Of the 11 lines that refer to non-heterosexual sexualities, five question the legality of the Directive's transposition and thus the validity of Regulation 7(3):

If the regulations fail to [transpose the directive faithfully] because they would allow an employer to discriminate on grounds of **sexual orientation** in circumstances not permitted by the directive, they are beyond the powers conferred by Parliament in Section 2(2) and are unlawful.  
(Lord Lester c.751)

It seems to the committee wholly within the bounds of possibility that, for example, an employer considering employing a custodian who would, as part of his or her duties, have care of religious artefacts might determine not to employ a worker solely on a ground related to his or her **sexual orientation** in order to avoid conflicting with the strongly held religious beliefs of a significant number of the religion's followers.  
(Lord Lester c.753)

Unless and until legal proceedings are brought to establish the cause of invalidity and to have Regulation 7(3) annulled, it will remain effective as a sweepingly broad exemption clause apparently permitting a religious body to refuse to employ not a priest but a cleaner or messenger because of their **sexuality**.

(Lord Lester c.755)

[Regulation 7(3)] was unnecessary because the original version of Regulation 7 contained sufficiently wide exceptions, and unlawful because it authorised **sexual orientation** discrimination in circumstances not required by the needs of the particular post or the context in which the jobholder would work.

(Lord Lester c.755)

It seems to me that the Church of England, whose representations to government appear to have been influential in bringing about the addition of Regulation 7(3), is seeking to do a dangerous thing. In its support of the extension of the circumstances in which it would be lawful to discriminate on the basis of **sexuality**, it is effectively absenting itself from normal civil society.

(Lord Alli c.765)

Lord Lester rejected Baroness Miller's stance on the Regulations and affirmed his support for equal treatment:

I very much welcome the regulations and do not agree with the attack made upon them by the noble Baroness, Lady Miller of Hendon, suggesting that somehow they are not regulations that should generally be supported. I strongly support them. In particular, I strongly support the commitment to equality of treatment without discrimination placed on **sexual orientation** that they embody. (c.782)

Where the terms' reference is generalised, 8/10 lines occur in criticisms of 7(3):

It is surely wrong as a matter of principle and, as the Joint Committee explains, of dubious legality, that a person in an administrative or ancillary role within a religious organisation should be excluded from employment because they do, or do not, have a particular **sexual orientation**.

(Lord Lester c.754)

This is a profoundly unsatisfactory state of affairs which will lead to expensive and distressing litigation—litigation which will be particularly distressing as it will inevitably involve a public analysis of the very private business of a person's **sexuality**.

(Lord Lester c.754)

I cannot accept that it is right for an organised religion to dictate that those in its employment should or should not be of a particular **sexuality**—no more than that they should or should not be of a particular race.

(Lord Alli c.765)

We have the opportunity, in supporting the noble Lord's Motion, to influence the kind of society we, and others, want to live in. That society recognises and celebrates differences, and does not allow irrelevant factors to determine a person's life chances. One's **sexuality** is an integral part of one's identity. It is what makes us human.

(Lord Alli c.766)

We are not aware of any cases in which religious doctrine requires a post to be filled by persons of a particular **orientation**".

(Lord Avebury c.767)

Therefore, it is impossible to satisfy the tests in 7(3)(b)(i), because the doctrines of no religion say anything about the employment of people of a given **sexual orientation**.

(Lord Avebury c.768)

The second leg of 7(3)(b) is where the nature of the employment and the context in which it is carried out are such that hiring somebody of a particular **sexual orientation** would conflict, as has been quoted, with the strongly held religious convictions of a significant number of the religion's followers. [...] If we agreed to the provision, we would allow the bigotry and prejudice of some of a religion's followers to dictate its employment policy.

(Lord Avebury c.768)

Regulation 7(2) is quite clear, because it uses as its touchstone the notion of proportionality. One has to be of a particular **sexual orientation**; there has to be a genuine and determining occupational requirement; and it must be proportionate to apply that requirement in the particular case. That would apply equally to a religious context or any other context. The vice, as I have described it, of Regulation 7(3) is one of over-breadth and vagueness.

(Lord Lester c.782)

Of the nine lines for *related/relating to sexual orientation/sexuality*, where the reference is indeterminate, two occur in outlines of what the Directive allows:

Article 4(1) of the EC Framework Directive allows in very limited circumstances that a difference of treatment may be justified when a characteristic **related to sexual orientation** constitutes a, genuine and determining occupational requirement, when the objective is legitimate and the requirement is proportionate".

(Lord Lester c.752)

In practice that means that an employer who wishes to impose a requirement **relating to sexuality**—for example, that a person working with lesbian women should be a lesbian, or that a person working with gay men should be gay—must demonstrate that being lesbian or gay is essential for the kind of work which is to be undertaken; that there are good reasons for imposing the requirement; and that the requirement is an appropriate one to apply given those reasons.

(Lord Lester c.752)

The remaining lines occur in examinations of whether 7(3) qualifies as a GOR:

Regulation 7(3) concerns employment for the purposes of an organised religion. It does not have a genuine occupational requirement provision. Instead it creates a broader exception which allows the employer to impose a requirement **relating to** a person's **sexuality** either in order to comply with the doctrines of the religion, or because of the nature of the employment and its context, to avoid conflicting with what are described as the, strongly held convictions of a significant number of the religion's followers".

(Lord Lester cc.752-3)

The Select Committee explained that Regulation 7(3)—I now refer to paragraph 1.11 of its report—may, permit difference of treatment based on characteristics **relating to sexual orientation** where the characteristic could not be said to be a 'genuine and determining occupational requirement' which was proportionate".

(Lord Lester c.753)

The Committee considered that regulation 7(2) was justified by Article 4.1 of the Directive, but that regulation 7(3) might permit difference of treatment based on a characteristic **related to sexual orientation** where the characteristic could not be said to be a 'genuine and determining occupational requirement' which was proportionate, as envisaged by the Directive".

(Lord Mayhew c.773)

It seems to me that one starts with looking at Article 4.1 and one sees there that the draftsman has recognised that it is necessary to take account of the specific susceptibilities that arise when a characteristic **related to**, for example, **sexual orientation** constitutes a genuine and determining occupational requirement by reason of the nature of the particular occupation or activities concerned, provided that it is proportionate and so forth.

(Lord Mayhew c.773)

The language of Regulation 7(3) speaks of employment, for purposes of an organised religion"— I pass over the arguments about that. Regulation 7(3) further states that, the employer applies a requirement **related to sexual orientation**". I pass over the purposes which then follow.

Does a requirement **related to sexual orientation** always fall within and never outside the ambit of a genuine and determining occupational requirement?

(Lord Mayhew c.774)

Leaving aside the vagueness of what is meant by "organised religion", the vice in Regulation 7(3)(b), if one looks at it carefully, is that there are no words of limitation. It is sufficient for the employer to apply, a requirement **related to sexual orientation**"— very wide words— because of the nature of the employment and the context in which it is carried out"— and, these are the limiting words— so as to avoid conflicting with the strongly held religious convictions of a significant number of the religion's followers".

(Lord Lester c.782-3)

The pro-withdrawal lines focus on the role of the CoE and the legality of 7(3) in

arguments that support equal treatment. That *sexuality* was apparently used interchangeably with *sexual orientation* raises questions about its currency. Weeks (2011) argues the terms are distinct. He relates *sexual orientation* to an essential sexual nature linked to preferred partner gender, but relates *sexuality* to theorisations that “appear to question the validity of sexual identities” (*ibid*: 199). While public declaration of sexual identities has been crucial in struggles for legal reform, they are more complex than the simplistic divisions of *sexual orientation* allow. That *sexuality* was used only by Lord Lester, who was actively pursuing wider LGB legal reforms, and Lord Alli, who is gay, positions it as the more gay-friendly term. Significantly, Lord Alli did not use *sexual orientation*.

Overall, the lines for *sexual orientation*, *orientation* and *sexuality* effectively illustrate the three strands of debate. What the lines clearly show, is how both the reference of a term and its connotation shift around with changes of context. Importantly, this is not just the linguistic context, but the wider social context of the three groups of speakers. As Voloshinov argued:

[T]his fundamentally social phenomenon is completely objective; it consists, above all, of *the material unity of world that enters the speakers' purview [...]* and of *the unity of the real conditions of life* that generate a *community of value judgments*—the speakers belonging to the same family, profession, class, or other social group, and their belonging to the same time period (the speakers are, after all, contemporaries). Assumed value judgments are, therefore, not individual emotions, but regular and essential social acts.

(Voloshinov 2012 [1926]: 165, author's italics)

Significantly, no uses of the terms refer solely to heterosexuality which suggests the speakers associated *sexual orientation* and *sexuality* more closely with non-heterosexualities. However, that ‘heterosexual’ was included in the Regulations’ definition and potentially included in indeterminate uses of the terms, suggests some erosion of its naturalised and normative status. In Voloshinov’s (2012: 167) terms, its assumed status had “become dubious”.

The most used adjective was *gay*, more so by pro-withdrawal speakers:

ADJECTIVES	Total Uses	Pro-withdrawal Uses	Pro-withdrawal % Debate Words	Anti-withdrawal Uses	Anti-withdrawal % Debate Words
gay	26	20/26 (76.9% total)	56%	6/26 (23.1% total)	44%
lesbian	8	5/8 (62.5% total)	56%	3/8 (37.5% total)	44%
bisexual	1		56%	1/1 (100% total)	44%
homosexual	2		56%	2/2 (100% total)	44%
straight	2		56%	2/2 (100% total)	44%
heterosexual	4	1/4 (25% total)	56%	3/4 (75% total)	44%
sexual (excluding orientation)	4	2/4 (50% total)	56%	2/4 (50% total)	44%

Key: red text: shows the proportionately higher frequency of use

In the pro-withdrawal lines (Appendix 76) *gay* applies to the following nouns:

<i>men and women</i> (5 lines)	<i>bishop</i> (1 line)	<i>somebody</i> (probably a man) (1 line)
<i>people</i> (5 lines)	<i>candidate</i> (1 line)	<i>someone</i> (probably gender inclusive) (1 line)
<i>men</i> (3 lines)	<i>employee</i> (1 line)	<i>staff</i> (1 line)
		<i>anti-gay conduct</i> (1 line)

*Gay* is paired with *lesbian* in four lines and applies to *men and women* in five, thus lesbians are included in 9/20 lines and potentially included in other lines bar those where *gay* applies to *men* or *bishop*. All of 17/20 lines address the role of the CoE and the discrimination 7(3) would allow within organised religion:

I have been lobbied by my own union, Amicus, because it feels that the exemptions proposed could make things worse for *gay and lesbian* people in religious organisations. (Baroness Turner c.756)

Could a *lesbian or gay* employee be discriminated against in the event of co-religionists taking exception to his or her continued employment, simply because it offended their religious susceptibilities? Surely that would not be acceptable. (Baroness Turner c.756)

I find it impossible to believe that the Government—one committed to fairness and equality—should seek to allow the continued discrimination against *gay men and women* if those who seek to discriminate against them believe in God. (Lord Alli c.764)

What an irony: if you are God-fearing, you can weed out, discriminate and persecute *gay men and women*, and, if you are not, you cannot. Frankly, the exceptions in Regulation 7 (3) are a joke. They make a mockery of equality legislation. (Lord Alli c.764)

I believe in God and am fully prepared to put my head above the parapet. I do so to condemn those in the Church of England and other organised religions who seek to use the lives of ordinary **gay men and women** as a crucible in which to play out their own internal theological disputes.

(Lord Alli c.765)

How can it be sensible that, on the one hand, the Church is about to appoint a **gay** bishop, and, on the other, it is about to sack **gay** staff.

(Lord Alli c.765)

We see the way in which a tradition in the Church seeks to persecute **gay men and women**. Even today, the right reverend Prelate the Bishop of Oxford is under intense pressure following his appointment of Dr Jeffrey John as the Bishop of Reading.

(Lord Alli c.765)

How can we try to advocate decent civil society in other countries when we legitimise the practice of discrimination against **gay men and women** by religious institutions?

(Lord Alli c.765)

What is the difference between an absolute right to remove someone from their job because they are **gay** and an absolute right to put somebody in gaol because they are **gay**? [...] The difference is in the degree of prejudice in the law.

(Lord Alli cc.765-6)

I say to the Lords spiritual on the Bishops' Benches that if they try to use the privilege that they enjoy—the extraordinary privilege that we all enjoy—of law-making, by using the civil law as a means of exempting themselves or their religion from the norms and values of civil society, they will have diminished their role in society. **Gay** people may be a minority in society, but so too are those who actively profess a faith.

(Lord Alli c.766)

This is not a party matter; it is a fundamental question of the freedom of **gay** people in our community.

I am sorry that the noble Baroness, Lady Miller of Hendon, has been illogical about this.

(Lord Avebury c.766)

It is certainly true that the doctrines of certain religions criticise people who are **gay**, but I am not aware of anything in the Bible or the Qur'an that says that employers should not hire **gay** people.

(Lord Avebury c.767)

I think that it would be the first time in any western country when anti-**gay** conduct has been approved by legislation.

If the argument is that the sacred books are highly critical of gays, so they are of many other human characteristics, such as wanting something that one has not got.

(Lord Avebury c.768)

Secondly, at interview, an employer will ask questions of prospective employees. What kind of questions will the employer be entitled to ask? Will he be able to ask if the candidate is *gay, lesbian*, in a relationship, or celibate? These questions flow from the regulations. Perhaps the Minister can clarify whether it would be perfectly proper for a religious organisation to ask them.

(Lord Clement Jones c.775-6)

Phrases such as *make things worse, not be acceptable, impossible to believe, what an irony, make a mockery, how can it be sensible, or seeks to persecute* in these lines for *gay* exemplify the concern and anger of pro-withdrawal speakers that equal treatment of lesbians and gay men was compromised.

\* \* \*

*Gay* and *lesbian* were little used by anti-withdrawal speakers and not at all by Baroness Miller. Of the six lines (Appendix 74), *gay* is paired with *lesbian* in three and with *straight or bisexual* in two. The lines show *gay* applies to:

<i>clergy and staff</i> (1 line)	<i>community</i> (1 line)	<i>people</i> (1 line)	<i>rights</i> (1 line)
(In 2 lines <i>gay, straight or bisexual</i> apply by implication to job applicants or employees.)			

The Bishop of Blackburn's lines occur in his oscillations between disclaiming discrimination and defending CoE liberty to exclude categories of employee:

There has been a good deal of misrepresentation in the press about the position of a wide range of faith communities, to the extent of it suggesting that we are keen to dismiss *gay* clergy and staff. Perhaps I may briefly explain why the original draft regulations published last October caused much concern and why we believe that the new regulations are better and more compatible with the directive. (c.758)

I urge the House to recognise that there are genuine issues of religious liberty here. If that is accepted the question is how best to safeguard that liberty in the way the noble Lord, Lord Pilkington, has just described, while providing proper protection against the discrimination which *gay and lesbian* people have had to endure. (cc.759-60)

His use of *endure* connotes resignation to suffering and thus pity, which belies respect. Lord Brennan's line occurs in his attempt to redirect the debate:

This is not the occasion to enter into a debate of Church and religion versus *gay and lesbian* rights. The question is whether or not these regulations are intra vires. (c.776)



His use of *rights* is dismissive in that he went on to claim that the Human Rights Act provided no “right against discrimination of the kind we are debating this evening” (c.776), which obliterated the LGB people the discrimination applied to. Two of Lord Sainsbury’s lines occur in his explanation of Regulation 7(2):

First, Regulation 7(2) is of general application. It covers any employment where being **gay, straight or bisexual** is a genuine occupational requirement. (c.781)

Secondly, Regulation 7(2) applies where sexual orientation is a genuine occupational requirement. In other words, one has to be **gay, straight or bisexual** to do the job. (c.781)

Although the inclusion of bisexuals in the Regulations’ definition of *sexual orientation* was a first in British law, their absence from the debate maintained “the illusion of the binary system of homosexuality/heterosexuality” (Baker 2008: 150) which privileges heterosexuality. Lord Sainsbury’s final line acknowledges but overrides *the strength of feeling among the gay and lesbian community*:

To conclude, Regulation 7(3) is necessary if the regulations are not to interfere in Church doctrine. We understand how the Joint Committee on Statutory Instruments reached its conclusion and our extensive consultation leaves us in no doubt about the strength of feeling among the **gay and lesbian** community. But having considered all the arguments carefully, we are satisfied that Regulation 7(3) is *intra vires* and that from December the courts and tribunals will be able to construe this tightly drawn exception in a way that is consistent with the directive. (c.781)

While 7(3) may have been seen as necessary by the CoE, its compliance with the Directive remains in question.

\* \* \*

As in Chapter 8, very few nouns for people were used in the debate:

NOUNS FOR PEOPLE	Total Uses	Pro-withdrawal Uses	Pro-withdrawal % Debate Words	Anti-withdrawal Uses	Anti-withdrawal % Debate Words
lesbian	2	2/2 (100% total)	56%		44%
gays	1	1/1 (100% total)	56%		44%
homosexuals	2	2/2 (100% total) 2/2 (100%uses)	56%		44%
heterosexuals	1	1/2 (50% total)	56%	1/2 (50% total)	44%

Key:      grey text shows the number and % of uses occurring in reports  
             red text: shows the proportionately higher frequency of use

Pro-withdrawal speakers' greater use of nouns for people, alongside applications of *lesbian* and *gay* to women, men, or other nouns for people place their focus on people. This is in contrast to anti-withdrawal greater use of the more distancing abstract nouns, notably greater among the conservative speakers (Appendix 77).

A final significant point is the scant use of the clinical terms in the debate which suggests a decline in their use. It is the uses of *sexual orientation* that best illustrate each of the three groups' preoccupations, while the pro-withdrawal lines for *gay* illustrate the speakers' outrage at Regulation 7(3)'s inclusion. In addition, the efforts of the Bishop of Blackburn and Baroness Miller to deny prejudice and discrimination suggest a positive shift in public values and an emerging 'official ideology' (Voloshinov 2012: 144-6) in the name of 'equality'.

### **Associations and Implications**

Two themes emerge from this analysis. One concerns the implications of the Regulations' definition of *sexual orientation* and the wording of Regulation 7 (3). The other concerns the ascendance of 'equality' as an 'official ideology' and its relation to anti-gay discrimination.

The Regulations define *sexual orientation* inclusively, but the principle of formal equality takes no account of the very different histories of the protected groups. The inclusion of 'opposite-sex' orientation in the Regulations' definition, when heterosexuals have no heritage of persecution, medicalisation, prejudice or discrimination on grounds of their 'orientation' is problematic—especially when, as Oliver (2004: 1-2) shows, work-place discrimination against lesbians and gay men was endemic. Heterosexuals were unlikely to experience 'discrimination', 'victimisation' or 'harrassment' (Regulations 3-5) at work on grounds of their *sexual orientation* unless they were assumed to be non-heterosexual. Thus their

inclusion diffuses the Regulations' anti-discrimination purpose. This diffusion underlay each groups' stance. Pro-withdrawal speakers were concerned to fully protect lesbians and gay men from discrimination. The Bishop of Blackburn and Baroness Miller denied anti-gay discrimination while protecting heterosexual privilege on religious grounds. Labour anti-withdrawal speakers were concerned to defend the legality of Regulation 7(3) while shifting responsibility for its interpretation to the courts. Arguably, had 'opposite-sex' orientation not been included in the definition, 7(3) would have been difficult to include.

The unclear wording of Regulation 7(3) suggests Blair's capitulation to the Bishops was a compromise. Its lack of clear definition makes it appear, by default or design, unworkable in law. There is the question of what counts as religious doctrine. A definition restricted to scripture would offer little to justify 7(3) and could exclude documents such as the CoE reports on sexuality in 1991 and 2003 (Nixon 2008: 603-5). Neither strongly held religious convictions nor a significant number of a religions' followers are measurable in ways that might satisfy a court. However, as Lord Lester argued, its lack of clarity leaves it wide open to interpretation. The first case against the use of 7(3) was won (*Reaney v Hereford Diocesan Board of Finance* 2007—see Stonewall 2011: 4) and supports Lord Sainsbury's claim that it does not apply where the plaintiff is not clergy. The second case against its use was brought by a hospital chaplain. (*Pemberton v Southwell and Nottingham Diocese* 2015) and was lost. As CoE bishops had forbidden gay clergy to marry before the marriage took place, the plaintiff was held to be in breach of canonical obedience (Duffy 4.11.2015). The court ruled the CoE's refusal of the plaintiff's new licence to officiate was an act of direct discrimination, but allowed it under the 7(3) exemption. An appeal is "extremely likely" (Sarmiento 10.11.2015). Same-sex marriage was held to be against CoE doctrine and the CoE said it would "not ordain any person who has already entered such a marriage" (*ibid*). The case makes explicit the place of heterosexual

marriage and the gender binary in homophobic belief. As the CoE employs lesbian and gay clergy, some of whom are in civil partnerships, the case also exposes its confused position on sexuality.

In the debate, the Bishop of Blackburn's claim that some posts required marriage or abstinence is clearly invalidated by the ruling and clearly positions 7(3) as a front for homophobic discrimination. It also conflicts with a 1991 CoE statement obligating Christians to reject and resist homophobia (Nixon 2008: 603) which concurs with the Bishop's commitment to disclaiming discrimination. As Nixon (*ibid*: 603-605) shows, the CoE reports on sexuality are contradictory, as were the inconsistencies in the Bishop of Blackburn's speech. In addition, the direct intervention of the CoE in the legislation, highlights the persistence of Roman law in theology. The root of this persistence appears to be that scripture is interpreted devoid of the political contexts in which it was developed and used. As Howe (2002: 39) points out, the Roman establishment of a bureaucracy and legal system "enabled the empire's cultural influence to endure—not least through religious institutions—far beyond its own political demise".

The second theme relates to the ascendance of lesbian and gay 'equality' and its emergence as an 'official ideology'. The legislative focus on lesbian and gay 'equality' began under the Major Government and grew under the Blair Government with EU support. That 'equality' appears in the Regulations' title is inappropriate given Regulation 7(3). The term was used by only five speakers (Appendix 78)—mainly Lord Lester and Lord Alli, who argued strongly for equal treatment, and Lord Sainsbury who defended 7(3) while emphasising the range of protections that the Regulations offered secular employees. The disjunction between the 'equality' in the Regulations' title and the incomplete protection awarded to non-heterosexuals renders the term's use misleading.

That 'equality' had become a 'buzzword' in LGB politics and legislative

reform raises the question of what might constitute LGB equality. Cooper (2000) sees equality as a basic political principle within jurisprudence, but one that entails complex problems. She reviews three equality paradigms (resources/well being/recognition) in terms of equal human worth, but suggests equality of power is a better measure because it includes “parity of involvement in economic, political and social decision making processes” (*ibid*: 256). The problem with this is that it would give authoritarian groups parity of access, which she examines using fascist groups as an example. She sees equality as an ongoing political project rather than a state of being as “it always needs to be responding to newly emergent forms of social asymmetry” (*ibid*: 263). In relation to lesbians and gay men she points out that social asymmetries extend far beyond legal equality and cannot be tackled in isolation from the normative and principles on which a society is organised and which naturalise the status quo. She argues:

Thus, even if social asymmetries prove transhistorically enduring, this does not render equality’s pursuit fruitless. For it is not the promise of an egalitarian Utopia but rather equality’s constant processes of renewal and change that provide the impetus for action and analysis which maintain equality centre stage.

(Cooper 2000: 272)

Cobb (2009) concurs in his review of the 2006 Equality Act, the 2010 version of which the Employment Regulations are now part. He argues:

The government’s refusal to think about the nature and extent of discrimination faced by sexual minorities removed any incentive for lesbians and gay men (or the government on their behalf) to speak more broadly about their experiences of discrimination. In turn, this discursive vacuum was manipulated [...] by conservative (religious) opponents...

(Cobb 2009: 342)

He also examines the changing role of Christian opposition to reform:

Whereas in the past the conservative Christian movement argued against gay rights normatively, in terms of moral wrong of (particularly gay male) homosexuality, it now grounds its opposition increasingly in terms of its own need for protection from sexual minorities.

(Cobb 2009: 338)

The arguments of Lord Pilkington, the Bishop of Blackburn and Baroness Miller who sought to protect ‘religion’ and exempt it from the Regulations are examples of this phenomenon. Their opposition was grounded in protection of heterosexual privilege fronted by religious belief. In addition, the Bishop of Blackburn and Baroness Miller’s preference for abstract nouns related to sexuality (Appendix 77) connotes distance from the people the Regulations were intended to protect. Lord Pilkington made no reference to sexuality. Baroness Miller did not use *lesbian* or *gay*; the Bishop of Blackburn used *lesbian* once and *gay* twice; no nouns for people were used. Their most used term was *sexual orientation*.

While the term *sexual orientation* is seen as unrepresentative of sexual diversity (Weeks 2011: 189-192), its association with partner gender is relevant to homophobic beliefs—beliefs rooted in the heritage of the Roman prohibitions on same-sex sex, mostly between men, in the interests of protecting male gender boundaries (Chapter 1). The gender binary was taken for granted by all speakers. As Baker (2006: 19) argues “A hegemonic discourse can be at its most powerful when it does not even have to be invoked, because it is just taken for granted”.

## **Conclusion**

This chapter shows the institutional power of the CoE in obtaining an exemption from the legislation. It also illustrates its hypocrisy, both in denying discrimination while defending its discriminatory exemption, and in requiring sexual relationships to be within marriage then using the exemption to exclude married lesbian and gay clergy on the basis of gender. Arguably, it is the explicit sanctioning of ‘sexual conduct’ within marriage that underlies the exclusion and which clearly locates it within the heritage of homophobic beliefs. The addition of the exemption after the consultation period suggests Government caution. The

political context of the Regulations' making shows that in 1997-8, the European Communities (Amendment) Bill and the Human Rights Bill were opposed by MPs and Lords who sought to protect religion from provisions linked to sexuality. As in Chapter 8, the Government was slow to legislate. In theory it could have done so any time after the Treaty of Amsterdam was made consequential in UK law in 1998. Even if it was waiting for the Directive, agreed in 2000, the Designation Order to legislate by SI was not made until July 2002. The decision to legislate via delegated legislation also suggests caution, but though SIs are not subject to the full parliamentary process, they must still be approved by both Houses. With the controversial invasion of Iraq as the backdrop to the delayed legislation, the addition of 7(3) after the consultation period at the Bishops' request can be seen as an rushed response to further reduce opposition. While the research reviewed sharply analyses the adequacy of the Regulations as law, it does not discuss the wider political context of 7(3) or the debate on the Regulations' withdrawal.

The debate analysis shows a clear division of interests between speaker groups. The cross-party pro-withdrawal speakers were concerned with the anti-gay discrimination Regulation 7(3) could allow and its non-compliance with the Directive. Conservative anti-withdrawal speakers were concerned with protecting religious belief and by proxy heterosexual privilege, while denying discrimination. Labour anti-withdrawal speakers were concerned with defending the inclusion of 7(3) and claiming its compliance with the Directive. Similarly, the vote indicates division within the CoE. Of the many Bishops present, only three voted, two in support of Lord Lester and withdrawal. The Words and Themes section clarifies the individuality of the speeches. On Flowchart 9, the pro-withdrawal keywords *MEN*, *WOMEN*, *SELECT*, *COMMITTEE*, *PROPORTIONALITY* and *EC* were each mostly used by one speaker (Appendix 71), while the mitigating *SEEMS*, *USE* and *SEEK* were more used by peers speaking against their party or church. On Flowchart 10, the anti-withdrawal speeches are linked by the keywords *WE* and

*EUROPEAN* with different associations on each side. On the Labour side, *TRANSPOSITION*, *DOCTRINE* and *related* were each mostly used by one speaker (Appendix 72). On the conservative side, *MEMBERS*, *union* and *employee*, less so *GROUPS*, were each mostly used by one speaker (*ibid*). In the Views of Sexuality section, it is *sexual orientation* that most clearly shows each group's views. In the conservative anti-withdrawal uses it refers mainly to non-heterosexualities and occurs in denials of discrimination while dissociating *sexual orientation* from *sexual conduct* (Bishop of Blackburn), plus convoluted denials of prejudice and condemnations of discrimination while devaluing the protective legislation and the people to whom it applied (Baroness Miller). In the Labour anti-withdrawal uses its reference is more indeterminate and its use more consistent in that 11/12 lines were spoken by Lord Sainsbury, mainly in defence of 7(3). In the pro-withdrawal uses its reference is also largely indeterminate. With *sexuality* it occurs mainly in criticisms of 7(3), notably its non-compliance with the Directive and the discrimination it allowed. This is in contrast to the pro-withdrawal uses of *gay*, most of which address the role of the CoE in enabling the discrimination. Alongside the individuality of the speeches, the analysis suggests a shift in the "social hierarchy of values" (Voloshinov 1986: 123) and an emerging, if nominal, "official ideology" (*ibid* 2012: 145-6) against anti-gay discrimination in the name of 'equality'. Conversely, Government caution in legislating the change shows the power of the albeit decreasing resistance.

The Employment Equality Regulations were of practical and symbolic importance despite their incomplete protection for non-heterosexual employees. The strong resistance to Regulation 7(3) enabled easier assessment of views on equal treatment on grounds of 'sexual orientation' than if the draft Regulations had been approved without CoE intervention. The deployment of Christianity in resistance to reform is examined further in Chapter 10 on Civil Partnership.



## Chapter 10

### Civil Partnership

The occupation of Iraq was the ongoing backdrop to the political stage in 2004. Pictures of US soldiers abusing Iraqi prisoners in Abu Ghraib jail sparked outrage, which was duly aired in the press (Cornwell 1.5.2004; Fisk 2.5.2004; Cockburn 3.5.2004). Publication of the Butler Report (14.7.2004) on intelligence relating to Iraq's alleged WMDs prompted parliamentary debates (HC 20.7.2004; HL 7.9.2004) and revived interest in Lord Goldsmith's advice on military action (Carrell & McSmith 18.7.2004; Norton-Taylor 17.9.2004; Woolf 16.10.2004). Government fears of retaliation at home led to the Civil Contingencies Bill. It provided for broadly-defined large-scale emergencies and the Commons passed it unanimously (24.5.2004 c.1411). The Act placed legal obligations on emergency services, extended Government powers, and enabled all but the Human Rights Act to be amended by emergency regulations. More controversially, the Asylum and Immigration Act severely tightened immigration controls.

Also high on the Government's agenda in 2004 was revival of the Northern Ireland peace process and restoration of the power-sharing Assembly which had been suspended after the Unionists withdrew from the power-sharing Executive (14.10.2002). The Justice (Northern Ireland) Act 2004 imposed human-rights standards on the Province's criminal justice system, while ongoing Westminster rule inflamed Unionist resistance to the Civil Partnership Bill.

Other legislation affecting lesbians and gay men during 2004 (Appendix 1) included rights and protections for partners. The Domestic Violence, Crime and Victims Act included same-sex partners in its provisions. The Housing Act gave same-sex partners tenancy-succession rights. The Armed Forces (Pensions and

Compensations) Act extended pension and compensation rights to all unmarried partners. An exception to this trend was the Gender Recognition Act. It enabled transsexuals to get a new birth certificate, but made no provision for those who were married to retain a legal relationship with their partner; recognition required the marriage be declared null and void.

This chapter outlines the political context of the Civil Partnership Bill and reviews research related to the ensuing debate on assimilation among lesbians and gay men. A summary of the Bill's parliamentary passage is followed by an account of the selected debate. Comparisons of each side's top-ten keywords and the sexuality terms used are followed by a discussion.

### **Political Context**

Civil Partnership was not a Government initiative. Legislation for partnership registration was first proposed in Private Members' Bills. The Relationships (Civil Registration) Bill 2001 sought to enable lesbian, gay and heterosexual couples to register their relationships. It was proposed by Jane Griffiths under the ten minute rule (HC 23.11.2001 cc.639-664), but was adjourned without conclusion. Lord Lester's Civil Partnerships Bill 2002 also included heterosexual couples. The Bill passed its second reading (25.1.2002 cc.1691-1746), but he agreed to halt its progress (11.2.2002) while the Government conducted a review to assess its implications (HC Research Paper 02/17: 3).

The completed review was briefed to the press before being announced in the Commons. A flurry of press reports followed (Waugh 6.12.2002; Cecil/Dyer/Hurst/Johnston/Leonard/Parris/Sparrow/Waugh/Wilson 7.12.2002), three of which quote Colin Hart of the Christian Institute. This prompted Evan Harris, who supported civil partnership, to raise a Point of Order with the Speaker and refer to allegations that the Government was using media interest in the issue to

hide other news (HC 9.12.2002 cc.37-8). The review was confined to same-sex couples and a consultation set for summer 2003. Lord Lester began asking the Government questions: about the consultation document (14.1.2003 c.26WA) and the legal proposals (22.5.2003 c.105WA; 12.6.2003 c.52WA).

Details of the consultation document were reported in the Independent and Observer (Dillon/Hinsliffe 29.6.2003) before its publication was officially announced in a written statement (HC 30.6.2003 c.2WS). This again prompted Evan Harris to raise a Point of Order and complain there were no copies in the parliamentary office (HC 1.7.2003 cc.174-7). The document drew considerable press interest (Ford/Shaw/Tweedie 30.6.2003; Chrisatis/Cowie/Ford/Doughty/Gove/Nicoll/Sparrow 1.7.2003; Bercow 2.7.2003).

The document introduced civil partnership as an equality measure for “those in or wishing to enter, interdependent, same-sex-couple relationships that are intended to be permanent” (Women & Equality Unit 2003a: 13). Lord Lester asked the Government about options for comment and their plans for opposite-sex couples (14.7.2003 cc.76-8WA). The Government replied that heterosexuals could marry and that there was space for additional comments in document. Lord Lester then asked about the exclusion of opposite-sex couples, recognition of same-sex couples married abroad, whether heterosexual registration in the Netherlands discouraged marriage, and the role of financial considerations in the Government’s decisions (8.9.2003 cc.76-9WA). The Government reiterated that as heterosexuals could marry, their inclusion was unnecessary. The course of Lord Lester’s questions and the Government’s non-committal answers expose their ring-fencing of marriage as a heterosexual institution. The extent to which this was for political, financial or ideological reasons is unclear.

The consultation ran from 30.6.2003 to 30.9.2003. The results were published in November. Overall, 84% of individuals and 74% of organisations were supportive (Women & Equality Unit 2003b). Recurring supporter concerns

were: the denial of marriage to same-sex couples, the denial of civil partnership to heterosexual couples, inheritance tax issues, and recognition of elderly same-sex couples. Recurring opponent concerns were: claims of threat to marriage, the exclusion of other categories of cohabitants, compatibility with religion, and the proposal's relation to EU law. The consultation elicited over 3,000 responses (HC Research Paper 04/64: 10). The Paper lists 19 organisations and 27 links to their comments (*ibid* 54-7). By 2013, most links returned 'page not found' or the organisation's home page. One returned the Christian Institute's (2002) booklet responding to Lord Lester's Bill—cast as devaluing the sanctity of marriage by giving cohabitees equal rights. It relates cohabitation to post-revolutionary Russia, communism, the French revolution and social disorder, which confirms its ultra-right political agenda. Only the link for UNISON returned a response to the consultation. Most members preferred registration to be open to all; views varied on how much rights should depend on registration; there was concern that people who did not register could be worse off. UNISON stated its points of agreement with the proposal and its views on tackling discrimination. It then urged the Government to include the Bill in the Queen's Speech.

News that the Government was including the Bill in the Queen's Speech leaked out early in November and created another flurry of press interest. The Times reviewed the Government's legislative agenda (Gibb 10.11.2003; Cracknell 23.11.2003). Michael Howard's decision to give Conservatives a free vote featured in the Guardian, the Times (Hall/Hurst 18.11.2003) and the Telegraph (Jones 24.11.2003). The Independent reviewed the limitations of equal-rights legislation in the context of wider social inequalities (Orr 25.11.2003) and the likely dissent Blair faced over the agenda (Russell & Woolf 26.11.2003). The Mail drummed up inflammatory headlines such as 'Labour kills off marriage', (Doughty 26.11.2003), and 'THE MURDER OF MARRIAGE' (Phillips 26.11.2003).

Following the Queen's Speech, the Commons' 'Debate on the Address'

(26.11.2003 cc.8-117) and the Lords' 'Address in Reply' (26.11.2003 cc.5-22; 27.11.2003 cc.25-94; 1.12.2003 cc.106-172) show civil partnership was largely welcome. In the New Year, it was Michael Howard's support for the proposal that got most press coverage (Watt/Bennett/Grice 10.2.2004), followed by scrutiny of the CoE position (Petre/Bates 12.10.2004), while the Mail again drummed up scurrilous headlines (Grant 17.2.2004; Walters 28.3.2004).

The Bill was introduced by Baroness Scotland for the Government in the Lords (30.3.2004 c.1176). It was subjected to sustained opposition in the right-wing press, particularly the Mail, fuelled by the Christian Institute. In the Lords a group of determined Conservative and Unionist peers succeeded in passing an amendment which subverted the Bill's purpose and made it unworkable in law. The amendment was deleted by the Commons and the Act finally passed a day before it ran out of parliamentary time. It has eight Parts and 264 Sections. The introduction reads:

1 Civil partnership

(1) A civil partnership is a relationship between two people of the same sex ("civil partners")—

(a) which is formed when they register as civil partners of each other—

(i) in England or Wales (under Part 2),

(ii) in Scotland (under Part 3),

(iii) in Northern Ireland (under Part 4), or

(iv) outside the United Kingdom under an Order in Council made under Chapter 1 of Part 5 (registration at British consulates etc. or by armed forces personnel), or

(b) which they are treated under Chapter 2 of Part 5 as having formed (at the time determined under that Chapter) by virtue of having registered an overseas relationship.

(2) Subsection (1) is subject to the provisions of this Act under or by virtue of which a civil partnership is void.

(3) A civil partnership ends only on death, dissolution or annulment.

(4) The references in subsection (3) are to dissolution and annulment having effect under or recognised in accordance with this Act.

(5) references in this Act to an overseas relationship are to be read in accordance with Chapter 2 of Part 5.

(Civil Partnership Act, 2004 Chapter 33)

Given the resistance to its passage, the Act was a political achievement, but many lesbians and gay men had mixed feelings. Its legal recognition was based on the norms of heterosexual marriage. A debate on assimilation ensued in which the symbolic effect of the Act on prejudice featured surprisingly little.

### **Relevant Research**

Lesbian and gay partnership registration has produced more studies than can be reviewed here. Those selected for review relate directly to Civil Partnership and focus on its legal provisions and the views of lesbians and gay men. Barker (2004) and Glennon (2006) focus on the Bill's provisions in relation to lesbian and gay relationships and politics respectively. Harding (2008) analyses lesbian and gay views in terms of legal consciousness. Weeks (2007; 2008b) offers a broader perspective on the symbolic value of the Act.

Writing during the Bill's passage, Barker (2004), assesses its provisions and addresses issues of assimilation and diversity in its focus on cohabiting couples. She introduces the Bill in the context of equivalent legislation in other countries and argues it was the Private Members Bills of 2001 and 2002 that prompted the Government to legislate, backed by pressure for UK recognition of partnerships and marriages registered abroad. In outlining the Bill's provisions, she points out that while they were based on those for marriage, discrepancies existed. Registration on religious premises or within a religious service was prohibited. Entitlement to a partner's pension after bereavement was restricted. Partnerships were formed by signing a register rather than by spoken words. The terminology differed ('spouse' for heterosexual couples, 'civil partner' for same-sex couples). The Bill's provisions were otherwise comparable to marriage. In her second section, Barker reviews lesbian and gay reservations. One reservation was the "ideology of a sexual, monogamous, life-long relationship between two

people” which no more applies to heterosexual couples (*ibid*: 319). While the Bill did not technically require monogamy, it was “designed to encourage long-term stable relationships” in which stability was conflated with monogamy (*ibid*: 320). Another reservation was the Bill’s exclusion of other lesbian and gay relationship arrangements, such as cohabiting friends who identify as family, or a lesbian couple raising children with the fathers. In this respect she argues the Bill risked marginalising those who do not assimilate to the ideology of ‘couple’. She does not refer to the belief among many lesbians and gay men that legal change effects social change and that equal relationship recognition increases acceptance and reduces prejudice (see Harding 2006). Barker concludes the Act would benefit only those whose relationships fall into a couple arrangement and would push other arrangements further from legal reform.

Glennon’s (2006) study has three sections. She considers the Act in terms of family law, lesbian and gay politics, and life in Northern Ireland. She begins with assumptions underlying policy development in family law, namely ‘family values’ and ‘social stability’. However, she notes policy makers pragmatically allow for diverse families, while maintaining rhetorical commitment to traditional ‘family values’. Thus in law, distinctions between marriage and cohabitation are blurred; both same-sex and other-sex cohabiting couples are recognised for some purposes. She argues that while the Act brings more couples into “the preferred regulatory net”, as an incremental change it exposes the lack of coherent policy on family recognition (*ibid*: 247). Even so, she sees civil partnership as reducing the significance of sexuality in family law: although the Act increases the division between formalised and unformalised relationships, because lesbian, gay, and heterosexual relationships fall on both sides of the divide, the focus on sexuality is reduced. On lesbian and gay politics, Glennon questions the polarisation of identity politics and queer politics in terms of being for or against assimilation respectively. Her alternative is a concept of social recognition that values

individuals. Citing Fraser (2003), she argues that such recognition would require legalisation of same-sex marriage followed by the de-institutionalisation of all marriage. This would remove “marital status as the proxy for the conferment of benefits and [allow substitution of an indicator such as] citizenship or residency” (*ibid*: 255). Thus she argues, “the assimilationist strategy of civil partnership is worth pursuing as an achievable middle-course agenda” (*ibid*: 255). She also views the recognition of lesbian and gay relationships in terms of existing norms as an effective way to counter maligned social status:

Partnership legislation will not, by itself, eradicate prejudice. But continuing to withhold relationship status from gays and lesbians constitutes an impermeable barrier to full social status. Indeed, the ability to identify oneself without social stigma is thwarted by the presence of barriers to full citizenship, the terms of which include choice in relationship form. Thus, symbolically, the exclusion from legal partnership status is of greater detriment than the potential benefits of inclusion.  
(Glennon 2006: 258)

This cost-benefit argument underpins Glennon’s section on Northern Ireland. She begins with the reductionist paradigm of two polarised communities, then relates both colonial and nationalist histories to a patriarchal culture reproduced in both unionist and nationalist ideology. “The result has been to erase gay and lesbian sexuality from the dominant culture” (*ibid*: 264). She cites an Institute for Conflict Research report (Jarman & Tennant 2003) on homophobic violence and harassment in Northern Ireland, which concluded discrimination was seen as normal. She argues that unchallenged homophobia plus the lack of visible gay space are good reasons for supporting assimilationist strategies in the Province and points out that civil partnership forced a reaction from the political parties. The DUP and UUP voted against it, the SDLP for it, and Sinn Féin, who do not take up their seats at Westminster, supported both civil partnership and gay marriage. She puts the emergence of these divergent views down to the political climate of the peace process. She concludes, the extension of civil partnership to



Northern Ireland must be supported “for allowing cracks in the seemingly universal moral conservatism of political dialogue to emerge” (*ibid*: 276).

Harding (2008) analyses lesbian and gay views of civil partnership via 10 in-depth interviews framed by legal consciousness: how people “approach, use and think about the law in everyday life” (*ibid*: 743). She notes the basic concepts of legal consciousness (*before the law*/conformity; *with the law*/engagement; *against the law*/resistance) do not relate directly to lesbian and gay experience. By linking these concepts to Foucault’s view of power and resistance, she creates a “version of legal consciousness that is sympathetic to the nuances of lesbian and gay experiences of law and regulation” (*ibid*: 744). Two themes emerged from her analysis. One was a complex interplay between recognition and regulation of lesbian and gay relationships in which three concerns were salient. First, the cost of recognition was seen as regulation—this generated ambivalence towards recognition. Second, joint assessment of partners’ income meant less money if one or both were claiming benefit—this was raised only by lesbians in the study. Third, the Act entailed assimilation—some participants saw this as imposing heteronormative expectations, others saw it as a framework in which partners could organise their lives. The other theme was unease over the Act’s relation to marriage in which three more concerns were salient. First, was a difficulty in reconciling civil partnership with formal equality—most participants wanted marriage and civil partnership to be open to all. Second, was a tension between marriage, civil partnership and religion—some participants were glad religion was excluded, others felt a religious ceremony should be open to those who want it. Third, was an objection to the patriarchal heritage of marriage and privileging of the couple—this view co-existed with that of civil partnership as an alternative within which assimilation could be resisted. Harding’s analysis reveals concerns underlying participants’ support for the Act:

As these participants' perspectives show, legal change impacts upon lesbians and gay men in different ways, depending on their personal circumstances, and people respond in different ways to the effects of law and power in their lives. Through strategies of resistance to the regulatory and disciplinary effects of marriage and civil partnership, and the legacy of different relationship forms within non-heterosexual communities, these participants also stressed that space can be created within the disciplinary mechanisms of power for resistance to the negative, assimilatory potential of civil partnership.

(Harding 2008: 757)

She concludes that participants' linking of recognition to regulation suggests an *against the law* legal consciousness, while their concern about the lack of formal equality suggests a *before the law* legal consciousness.

Weeks (2007; 2008b) sees civil partnership as both an effect of social change and a major step towards inclusion and acceptance. As an effect of social change, he argues it represents a shift in social values. In Britain, as in various other countries, legal recognition of same-sex partnerships was more the result of elite activism than popular pressure. He acknowledges the importance of ECtHR judgments and EU law in other reforms, but on civil partnership suggests both Stonewall and the Government were responding to existing social change:

I have suggested elsewhere (Weeks, 2007) that a defining characteristic of the remaking of sexuality since the 1950s has been those everyday experiments that happen at a grass-roots, sub-political level, often at first outside and beyond the visibility of historians and sociologists. Surely what is striking about the current salience of same-sex relations is that it crept up on commentators and theorists unawares, stimulated above all by the AIDS crisis amongst gay men, and the concern over parental rights especially amongst lesbians. The felt need for same-sex relationship rights grew from the ground upwards.

Governmental interventions, influenced as they were by skilful lobbying, were from this perspective a response to changing social realities, not an anticipation of them.

(Weeks 2008b: 789)

In seeing the Act as a step towards social inclusion and acceptance, he argues that as marriage promotes and naturalises heterosexuality, legal recognition of lesbian and gay partnerships contributes to heterosexuality's denaturalisation. Thus, civil partnerships are more than another legislative reform which affects only a minority of people:

Logic would usually suggest that de-heterosexualising marriage by promoting same-sex unions/marriages is a potential transgressive and subversive assault on its heteronormivity, an undermining of its cornerstone role, and a destabilising of the hetero-homo binary that constitutes the gendered and sexual order.

(Weeks 2007: 184)

In response to queer theorists who view marriage as welded to heterosexual assumptions and same-sex partnerships as a surrender to heteronormivity, he notes the take-up of civil partnerships when they became law. The Government had estimated between 11,000 and 22,000 in the first five years, but 15,500 partnerships were registered in the first nine months. Most partners were in stable relationships and registered for pragmatic rather than political reasons: the protections of legal status, inheritance rights, parenting rights. While Weeks (2008b: 788) acknowledges “real political divides about the nature, relevance, value and prospects for same-sex unions” and recognises fear of assimilation, he argues that ultimately, as legally binding commitments, civil partnerships must have implications for wider norms and values:

Whether the impact of this is [...] assimilationist or radical will depend ultimately on the degree to which the practice of same-sex unions can transform both the normative meanings of marriage, and everyday practices of LGBT people themselves.

(Weeks 2007: 198)

He concludes with affirmations of living an ordinary life:

The very ordinariness of recognised same-sex unions in a culture which until recently cast homosexuality into secret corners and dark whispers is surely the most extraordinary achievement of all.

(Weeks 2007: 198)

But at a deeper level surely, what we see here is the wish for recognition for what you are and want to be, for validation, not absorption, a voting with our feet for the ordinary virtues of care, love, mutual responsibility. We should never underestimate the importance of being ordinary. It has helped transform the LGBT and the wider world.

(Weeks 2008b: 792)

Though the long-term effects remain to be seen, Weeks’ conclusions effectively grasp the shift in atmosphere from that in the 1980s where this study began.

### **The Passage of the Bill**

At the Bill's second reading (HL 22.4.2004 cc.387-433) it was welcomed, often warmly, by 13 of the 17 peers who spoke, including the Bishops of Oxford and Peterborough who reported support in the General Synod and Archbishops' Council. Baroness Wilcox and Lord Elton had some reservations; only Baroness O'Cathain and Lady Saltoun were avidly against it. By contrast, Lord Alli was joyous. After recounting the remarkable journey of lesbian and gay reforms since he entered the House in 1999, he took astute measure of the opposition:

They will talk about being sympathetic and, indeed, claim not to be homophobic. We know who they are—they have voted against every piece of legislation that I have listed. They will abuse two legitimate concerns to undermine the Bill. The first notion, of course, is that it will undermine marriage. In countries where there is gay marriage or civil partnership, there is certainly no evidence to suggest that it does that. In fact there is evidence to suggest the reverse. More importantly—I agree with the right reverend Prelate the Bishop of Oxford—it seems illogical to argue that something that encourages stability in society should somehow undermine marriage.

The second argument to be deployed will be, "We're very pleased to give these rights to the gay community, but we should see a way of extending beyond the gay community to others—to sisters, to brothers or to a carer. Should they not be granted the same protection?"

That is a seductive argument, but it is not an issue for this Bill. Those are legitimate questions for the Government, but the Bill is not the place for those arguments. (c.409)

These were indeed the bases on which the Bill was contested and almost lost.

While these arguments were first mooted by the Christian Institute (2002: 26-7), its involvement was unacknowledged by the Bill's opponents.

The Lords' Committee spanned five long sessions. At the first (10.5.2004 cc.1-60GC) it was announced that there should be no voting in Committee and disputed amendments should be withdrawn until the Report stage. The debate lasted four fractious hours. Six amendments sought to adjust the wording; four clearly sought to undermine the Bill. Lord Tebbit sought to omit *same-sex* and *of the same sex* on the grounds that the restriction was discriminatory. Of Baroness

O’Cathain’s three amendments: one sought to extend the Bill to other categories of cohabitees on the basis that homosexual relationships were being treated as more important than other relationships; another sought to exclude Northern Ireland from the Bill on the basis that civil partnership was unwanted there; the third sought to replace the registry office ceremony with an agreement witnessed by a commissioner for oaths on the basis that the ceremony was too much like marriage. She cast the Bill as an inheritance-tax avoidance Bill for a selected few. All amendments were withdrawn.

The second Committee session (12.5.2004 cc.115-180GC) lasted four equally fractious hours. Baroness Scotland and Baroness Crawley’s Government amendments were agreed. The rest were withdrawn. Lord Higgins’ amendments focused on clarity; the five of Baroness Wilcox were challenging. Two sought to extend the Bill to other categories of cohabitees on the basis that their exclusion was discriminatory. Three were ‘probing amendments’ to elicit the Government’s view on the exclusion of religious premises, the absence of words of commitment, and punishment of offenders against the Bill’s provisions. Baroness O’Cathain then tried to replace the proposals for dissolution with termination on request, which enabled her to argue that the Bill was mimicking marriage.

The third and fourth sessions were shorter and dealt mostly with property issues and financial arrangements. In the third (13.5.2004 cc.181-238GC), there was a heated exchange on the Bill’s extension to Northern Ireland between Lord Maginnis and Baroness O’Cathain on one side, and Lord Lester and Lord Alli on the other. Baroness Amos, Leader of the House, intervened after which a string of clauses and Government amendments were briskly agreed. The fourth session (17.5.2004 cc.239-264GC), was also conducted with brisk efficiency. Baroness Amos carefully explained the amendments to Northern Irish law, but Baroness O’Cathain took little part. The provisions for recognising same-sex marriages and partnerships registered in other countries drew most comment. The fifth session

(25.5.2004 cc.449-526GC) again lasted four hours. A succession of Government amendments were briskly agreed, which led Baroness O’Cathain and Lord Tebbit to complain about the volume of Government amendments.

The withdrawn amendments were revived at the Report stage (24.6.2004 cc.1364-1391). When Baroness O’Cathain moved to extend the Bill to categories of relationship other than same-sex couples on the grounds that the Bill was discriminatory, twelve peers spoke in support, only two of whom had participated in the Committee debates. Only five peers spoke against. As Lord Alli put it:

The noble Baroness’s argument in Grand Committee was not only that she wanted to help carers but that she wanted to stop gay people having these sets of rights. As I said, I have supported calls for the issue of carers to be looked into. But I have to say to the noble Baroness, as I said to her in Grand Committee, that if an amendment looks like a wrecking amendment, feels like a wrecking amendment and looks as though it will wreck the Bill, she should not be surprised if some of us oppose it.

He continued:

I hear noble Lords shout “no”, but the noble Baroness’s principal position, and that of the noble Lord, Lord Tebbit, on homosexuality is clear. They have never voted for legislation which encourages any kind of equalisation of rights for homosexuals. Indeed, on Radio 4 on 27 May 2004, the noble Lord, Lord Tebbit, said about the gay marriage Bill, as he called it: “We not only have an epidemic of obesity—we have a huge problem with AIDS, and the Government’s attitude is to do everything it can to promote buggery, knowing that those two are somewhat intimately related”. (c.1370)

The amendment was passed by 148 to 130 votes. It extended the Bill to relatives over the age of 30 who had lived together for 12 years and subverted the Bill’s purpose of recognising lesbian and gay partnerships. The debate was adjourned for an hour. When it resumed (cc.1406-1462), Baroness Scotland announced:

The decision that the House has just made amending Clause 1 fundamentally alters the basis upon which the Government have brought forward the whole Bill and on which they have consulted widely before doing so. In those circumstances the Government feel unable to proceed with any of their amendments previously tabled and to contribute to the debate on other amendments, except to indicate that we oppose them. (c.1408)

Lord Lester agreed:

My Lords, on behalf of these Benches, we entirely agree with that view. We regard what has happened as a torpedoing of the Bill in the guise of noble motives. Personally, I am most disappointed, since it was my Private Member's Bill that began the matter in this House and the only proper course is to bring it before the democratic Chamber as soon as possible. (c.1408)

After discussion, it was agreed that the Bill should proceed in the usual way but without the Government amendments. Lord Tebbit's comment was triumphant:

I believe that behind that approach is the fact that there must have been a panicky telephone call from the Treasury. That is the heart of it. The noble Baronesses opposite say, "No, no. The Treasury? Good gracious me. The Treasury? It would not be the Treasury's concern". The amendment has done nothing to attack the principle of the Bill. All those who would have benefited under the Bill as it was introduced essentially remain to benefit. The earlier vote on the amendment of my noble friend Lady O'Cathain has done nothing to detract in any single way from the rights which the Bill would extend to certain groups of people. That vote has meant that another group or two of people have been made beneficiaries.

The noble Baroness, Lady Crawley, looks astonished. I thought she'd got hold of that idea earlier today. Most of us did, and that is why we voted for my noble friend's amendment. We wanted to benefit another group of people in order to reduce the inequities which the Bill would have created. (c.1413)

Over 20 amendments were then moved by Conservative peers which Ministers opposed without engagement. A few were passed. One went to a vote but was defeated. The main argument was over Baroness O'Cathain's amendment on Northern Ireland which sought to allow the Assembly a veto on civil partnership when it reconvened. Lord Alli was adamant:

In the Northern Ireland context, I would say that this piece of legislation is probably needed more than in any other place. It will allow people who wish to register their civil partnerships to stand up and have protection in a way they do not at the moment. So the debate we witnessed less than two hours ago probably reinforces the need for this legislation more than anything else I have heard in the House. (c.1418)

Baroness O'Cathain withdrew.

Press reports of the debate were patchy. The Guardian highlighted the homophobic undermining of the Bill and the fury of its supporters (White & Hall 25.6.2004). The Telegraph highlighted the claimed discrimination alongside views

of Conservative peers and Government ministers (Jones 25.6.2004). The Belfast News Letter headlined 'ULSTER PEERS UNITE TO STOP SAME-SEX MARRIAGE PLANS' (25.6.2004).

At the third reading (1.7.2004 cc.391-430) Baroness Scotland outlined a range of anomalies the wrecking amendment could cause if a partnership was registered between relatives. For example a (grand)son/daughter caring for an elderly (grand)parent, would have to divorce that (grand)parent if s/he wanted to marry or register a partnership. Much of the debate was spent on an attempt by Lord Maginnis' to exclude Northern Ireland from the Bill. He spoke in a highly offensive way and linked civil partnership to child sexual abuse in the Province. He was rebutted at length by eight peers before he withdrew. Lord Alderdice noted that his speech "made clear the real purpose of the amendment, which [was] fundamentally to oppose the whole purpose of the original Bill" (c.401). Baroness Amos affirmed the Government's "responsibility to challenge bigotry, discrimination and prejudice" (c.407). Various peers pointed out that as a human rights issue, the Bill was not a devolved matter. Baroness Scotland and Baroness Hollis moved amendments on those parts of the Bill unaffected by the wrecking amendment. It was passed without a vote. Lord Tebbit then reiterated his view that the original Bill was "outrageously discriminatory" (c.429) and commended its improvement by Baroness O'Cathain, but apologised to Lord Lester for being so rude in the heat of the previous debate. As the exact piece of rudeness he had in mind is difficult to identify, his apology suggests an excuse to laud Baroness O'Cathain's amendment, thereby apparently gloating over its effect on the Bill. Lord Lester replied that the debate had harmed the "reputation of the House" (c.429). Baroness Scotland thanked Lord Tebbit for his admission, but pointed to the "travesty" of describing the Bill as outrageously discriminatory (*ibid*).

The Bill's second reading in the Commons (planned for 16.9.2004) was postponed by the Prime Minister at the request of Ian Paisley as Unionist MPs



would be in talks to restore the Northern Ireland Assembly. As the Bill was short of parliamentary time, this was seen as another Unionist attempt to derail it (Cracknell 19.9.2004). The talks failed. Meanwhile, the Northern Ireland Gay Rights Association picketed a Christian Institute meeting in Belfast (McAleese 24.9.2004). The second reading was held on 12.10.2004, five weeks before the end of the parliamentary year. This debate is analysed below. The Conservative free vote exposed the depth of the 'moderniser'- 'traditionalist' divide. The Bill was passed by 426 to 49 votes. There was little press interest. The Guardian reported plans to overturn the Lords' amendments (White 13.10.2004). The Independent reported Tory disarray (Woolf 13.10.2004). The Belfast Telegraph reported Unionist opposition (McCambridge 13.10.2004).

The Bill was restored to its original form at the first of its five Standing Committee sessions by a vote of 13 to 1 (HC 19.10.2004 cc.007-028). On the day it was due back in the Commons on Report (9.11.2004), the Christian Institute placed a £20,000 full-page advertisement in the Times against the restriction of civil partnership to 'homosexual' couples and in support of Edward Leigh's amendment on extending the Bill to cohabiting siblings (White 10.11.2004). Over half the debate (cc.724-796) was spent on this amendment. It was defeated by 307 to 74 votes. Two further obstructions tabled by Christopher Chope were more quickly rebutted. Government amendments were passed in the remaining time. The Bill's third reading followed (cc.796-815). It was passed by 389 to 47 votes. The Mail and the Telegraph published satirical sketches (Letts/Gimson 10.11.2004). The Times and the Guardian reported the defeat of traditionalist Conservatives (Charter/White 10.11.2004).

In a lecture on the legislative changes, Angela Eagle (23.2.2011) told how before the Bill's return to the Lords, supportive MPs phoned all supportive peers to ask them to vote. When the Lords considered the Commons' amendments (17.11.2004 cc.1449-1553), Baroness O'Cathain again tried to dissociate the Bill

from same-sex couples with another amendment on cohabiting relatives. Against this final assault on the Bill, Lord Hunt argued, “If the amendment is passed this afternoon, I doubt whether the Bill will ever come into force because of the legal, practical and financial difficulties involved” (c.1458). It was defeated by 251 to 136 votes. Nine peers changed their vote; 60 peers who had previously supported Baroness O’Cathain were absent. The Bill was enacted the next day. It came into force a year later. The date for the first bookings (5.12.2005) was UK wide, but Northern Ireland was awarded the first ceremonies (19.12.2005), one day earlier than Scotland, two days earlier than England and Wales.

### **The Debate**

The Bill’s second reading in the Commons (12.10.2004 cc.174-250) lasted five hours. Thirty-four MPs spoke: 23 in support, 11 against (Appendix 79). Of those in support, 12 were Labour, seven Conservative, two Liberal Democrat, one SDLP and one SNP. Of those in opposition, nine were Conservative, one DUP and one UUP. Twenty-two MPs made speeches, 15 in support and seven against. As a second reading, the debate focused on the nature and purpose of the Bill as a whole. Thus the Lords’ amendments were a recurrent topic. Other prominent topics were marriage, pensions, next-of-kin rights and Christianity. Many of the Bill’s supporters also hailed the progression of legislative reforms for lesbians and gay men. Given the debate’s purpose and length (over 42,000 words), this section focuses on speakers’ views of the Lords’ amendments.

The Minister, Jacqui Smith, introduced the Bill with reference to Labour’s record of reform since 1967: the Bill was thus a “historic step” and “natural progression” in “the Government’s commitment to social justice and equality” (c.174). Barely had she begun, when opposing MPs began to intervene. John Redwood asked:

Will the Minister recommend to the Treasury that carers, those being cared for and family members living together in their own family units should have the benefit of inheritance tax relief and capital gains tax relief? (c.174)

Jacqui Smith would not:

No, I will not. It is rather unfortunate that some Opposition Members have chosen to use an important equality Bill to pursue their campaign about inheritance tax. I will come back to some of the amendments that have been made in the Lords. (c.174)

With reference to the consultation, she began to describe some of the difficulties faced by same-sex couples. Angela Watkinson asked:

The points that the Minister is making are valid, but do they not equally apply to platonic companions who share a home together and suffer equally? (c.175)

Jacqui Smith did not believe the issues she had described did apply:

There is a particular significance to a partnership between two people who have chosen to share their home and their life, to love each other and to care for each other. I will deal with the issue of other types of carers, which I take seriously, later, but to conflate the two is to do justice neither to the same-sex couples whom the Bill seeks to serve nor to carers in the sort of relationships that the hon. Lady describes. (c.175)

James Gray then asked:

The Minister describes a loving couple who have lived together for many years, sharing their house, their lives, their food. Do her arguments apply to the elderly sisters in my constituency who have lived together for 40 years and care for each other and love each other in a very real way as much as they do to lesbian couples? (c.175)

Jacqui Smith was getting impatient:

I am sure that the hon. Gentleman was listening carefully when I identified the specific problem for same-sex couples—the legal invisibility of their relationship. Of course there are issues about sisters living together, but their relationship is not invisible—it is already recognised by society, and often by the law. (c.175)

She resumed her account of the Bill's provisions, adding:

These are the marks of a civilised and humane society. They are the principles that we set out to fulfil with this Bill, yet others have sought to wreck the principles on which the Bill is founded. (c.175)

The Lords' amendments were completely inappropriate:

I wish to move on to the amendments—frankly, they are wrecking amendments—passed in another place. Our belief, which is supported by many hon. Members on both sides of the House, is that certain amendments passed in another place render the Bill unworkable. Those amendments would allow close relatives over the age of 30 who have lived together continuously for 12 years to form civil partnerships. Of course, we recognise that there are genuine concerns about the position of carers [...] but this Bill is entirely the wrong place to deal with those concerns. (c.177)

She then outlined some absurdities they would cause:

The Opposition amendments passed in another place would also lead to myriad legal absurdities. A woman who formed a civil partnership with her grandfather would have her own mother as her stepdaughter. A grandfather could leave a survivor's pension to a civil-partner grandson. That turns pension provision on its head and could cost the taxpayer £1 billion a year and the private sector some £1.25 billion a year. (c.177)

Offering support, Desmond Turner asked:

Does my right hon. Friend agree that those amendments could fairly be described as wrecking amendments, designed to prevent the Bill becoming effective, and that they were tabled in that form by people who are afraid to come out and express their real motive, which is to oppose equality? (c.177)

Jacqui Smith thought this a fair point:

As I have said, those amendments fail to recognise the principles on which the Bill is based and they will lead to some of the legal absurdities that I have outlined. I hope that all hon. Members will be honest about their real views, their real motivations and their real objectives in what they propose. (cc.177-8)

Gerald Howarth was indignant:

Is the Minister seriously telling the House that three bishops who voted for the amendments so ably moved by my noble Friends in the other place were engaged in a wrecking process? (c.178)

Jacqui Smith clarified:

I was saying precisely that the effect of those amendments would be to wreck the Bill. Those who voted for them, whatever their motives, need to be aware that that would be the effect of the amendments. I was going through the legal absurdities. (c.178)

She listed more absurdities:

For example, a son in a civil partnership with his elderly mother could lose entitlement to jobseeker's allowance, based on his mother's ability to support him financially. That would take our social security system back to the 1930s. Even more bizarrely, if he then wanted to marry someone else, he would have to live separately from his mother for at least two years, or he would have to prove her unreasonable behaviour. For those reasons and many others, the amendments stand condemned by the TUC, citizens advice bureaux, the Solicitors Family Law Association, the Law Society, Stonewall and many others, but, worst of all, they stand condemned by the very people whom they purport to help—carers. Carers UK believes that the amendments may even harm the position of carers and create new problems for them. (c.178)

Offering further support, Charles Hendry asked:

Will she confirm that one of the issues for carers is that they will lose their entitlement to benefit if they register such a relationship because joint incomes will be taken into account? (c.178)

Jacqui Smith agreed:

The hon. Gentleman points out yet another difficulty with trying to impose an ill-thought-out wrecking process on a Bill that was intended to deal with another problem. He is absolutely right. (c.178)

Also in support, Rob Marris suggested human rights implications:

As I understand it—perhaps she will correct me if I am wrong—heterosexual couples can take advantage of the Bill only if they are aged 30 and have been in a relationship for 12 years. If so, does that not breach the European convention on human rights, as it is discrimination on the basis of sexual orientation? (c.178)

Jacqui Smith qualified:

That is precisely one of the reasons that make the Bill in the amended form incompatible with the convention. For all those reasons and many more, we will seek to reverse those amendments and restore the Bill to its original purpose. (c.178)

Chris Bryant added to the consternation:

Is not the truth of the matter that those who tabled those amendments in the other Chamber did so because they do not believe that homosexuals are equal to heterosexuals, and that, unfortunately, that includes many of the bishops? (cc.178-9)

Jacqui Smith concurred:

As I suggested earlier, I hope that people will be honest about their motivation today—I suspect that my hon. Friend is right about some people's motivation. (c.179)

The early anti-CP questions provocatively foregrounded Baroness O’Cathain’s amendment thereby highlighting the Government’s defeat in the Lords. However, the subsequent cross-party, pro-CP interventions illustrate widespread support for the original Bill and a consensus that the amendments were intended to wreck it. After successive interventions on other issues, Jacqui Smith stated the Government’s intention, once the Bill was restored, to move the amendments that Ministers in the Lords could not proceed with because of its changed nature. She then commended the Bill to the House.

Alan Duncan was delighted to support the Bill from the Conservative Front Bench, but when he came to the Lords’ amendments he conceded:

It is profoundly unfair that carers and siblings who cohabit are disadvantaged on the death of one or other of them by being forced out of their home by their tenancy terms or by the burden of inheritance tax. So it was right for these issues to be raised in debate, and in doing so the plight of those who are disadvantaged in this way has been drawn to a wider audience. (c.188)

On quoting Baroness Scotland’s undertaking to address the issue, he continued:

As they have now had since May to grapple and to percolate, I look to the Government, as I think all Opposition Members do, to fulfil that undertaking. I seek a clear guarantee from the Minister of State of the Government’s firm intent to bring forward measures to address these issues at an early opportunity. (cc.188-9)

This prompted Angela Eagle to ask:

Does the hon. Gentleman agree that it is highly inappropriate, regardless of the merits of argument about home sharers, to think that the solution somehow lies in civil partnership arrangements? Will he be voting to take out the provisions in section 2(1) and schedule 1, which so disfigure the Bill? (c.189)

The reply was affirmative:

I can assure her that I think she is right. I accept that the Bill was not the appropriate vehicle for such action. When those in another place supported the Back-Bench amendment to widen the scope of the Bill, I believe that they did so with good intent. However, in doing so they fundamentally changed the Bill’s nature and effect. They created a Bill that is at best bad legislation, and at worst unworkable and damaging. (c.189)

He went on to quote the Carers Association and argued:

So we are not doing a favour to carers if we move an amendment about carers that they do not want. As the Minister said, many other anomalies and rather absurd unintended consequences arise. (c.189)

After citing further legal anomalies he pointed out:

On a more serious point, by allowing the degrees of prohibitive blood relationships within the existing family to be breached—I hope that this is persuasive to my right hon. and hon. Friends—to form a partnership with one another, the amendment does a great deal to destabilise and compromise the traditional family unit.

Their Lordships' amendment destroys what it sets out to protect. (c.189)

He agreed the amendments were unworkable, but denied the Conservative party had sought to wreck the Bill. He then urged his hon. Friends to leave carers and siblings to “bespoke legislation” (c.190) and the Government to legislate for them.

Alistair Carmichael confirmed Liberal Democrat support for removal of the Lords' amendments:

The provisions that seek to create categories of civil partners other than same-sex couples, worthy though they may be, do not belong in this Bill, and they should be removed. When the Government table amendments in Committee to remove those provisions, the Minister will have the support of its Liberal Democrat members. (c.194)

He then addressed Baroness O'Cathain's argument:

The argument concerns people who cohabit and who have a relationship based on love—albeit that the love that exists between siblings is very different from that which exists between partners drawn from outwith the family. The law has always treated such relationships differently for strong social, genetic and scientific reasons, and to abandon that approach in this Bill would be dangerous to say the least. (c.196)

Cohabiting relatives in his constituency regulated their affairs without problems:

I suspect that many of them would be offended by the suggestion that their relationship was in some way comparable to that of a husband and wife or a same-sex couple in a long-term relationship.

One can imagine even greater difficulties being created by the Bill as it stands. The example cited is usually that of the adult's offspring who gives up his or her job to care for an elderly parent, but what about the same person who gives up a job to care for both elderly parents? He or she would be prohibited from entering into a civil partnership until one or other of the parents dies. That surely cannot be right. (c.196)

He looked forward to the discussions in Committee.

Angela Eagle addressed the Lords' amendments at length and began with Conservative divisions. She wished the Front-Bench modernisers well, but:

Some of the comments that were made in the House of Lords give some measure of the distance still to go in order to persuade Conservative Back Benchers that they should share the welcome views expressed by their Front-Bench colleagues. [...]

Many Conservatives in the Lords are associated with the spoiling and wrecking amendments that have effectively torpedoed the Bill unless we can reverse them. (c.198)

She found the Bill's passage through the Lords extraordinary:

It was used to argue that liabilities to inheritance tax or property rights somehow ought to be minimised through the Bill. The amendments that were passed, which, thankfully, the Conservative Front Bench will oppose, and which, I hope, will be overturned today, would cost £2.8 billion annually in forgone tax liabilities. I cannot think of anything less respectful than trying to turn something so important into a tax loophole. (c.198-9)

Gerald Howarth was sceptical:

The fact is that inheritance tax raises £2.6 billion a year in total. The hon. Lady cannot seriously suggest that the changes proposed by my noble Friend Baroness O'Cathain would result in an even greater forgoing of tax by the Treasury than the total amount currently claimed by inheritance tax. (c.199)

Angela Eagle was unmoved:

No, but inheritance tax is only part of the tax loopholes created by the vote to incorporate new clause 2 and schedule 1 in the Bill. The figure represents the cost of the whole effect of the provisions that we are considering. Although the hon. Gentleman is obsessed with inheritance tax, other loopholes are created by what the Lords did to the Bill. (c.199)

She believed the debate at which the amendments were passed was shameful:

The Solicitors Family Law Association called the amendments an "unworkable mess" and an "absurdity". Lord Alli said—rightly, I think—that they were

"spoiling amendments designed to make the Bill unworkable."

The Lesbian and Gay Lawyers Association said:

"We do not believe that people who care for their elderly parents would want to be in a situation where they would be prevented from marrying . . . and be jointly assessed for welfare benefits with their parents".

She continued:



Carers UK, who were meant to be assisted by the amendments, said:

“The changes would have a devastating impact on the income of the carer and the person for whom they care.”

The Law Society said that

“it is inappropriate simply to include them”—family members—“within the categories of those who can register a civil partnership. Registration will not solve their problems and may even worsen their position.” (c.199)

She gave further examples of the amendments’ absurd effects and was glad the major parties supported their removal. Ann Widdecombe noted:

The hon. Lady has just used an interesting term. She said that if a daughter and mother entered into a civil partnership, the daughter would be married to the mother. Therefore, she is saying that the Bill is about homosexual marriage. It is about one person in a civil partnership being married to the other. (c.200)

Angela Eagle replied that she had been careful in her choice of phrase:

I said that such people would be effectively married. Whether one believes that that is homosexual marriage, as the right hon. Lady clearly does, or that it is a parallel state, which recognises—rightly, in my view—the legal rights and responsibilities for people who live in caring same-sex relationships, is irrelevant. (c.200)

She argued it was completely inappropriate for family members or carers to enter a civil partnership to avoid inheritance tax or protect property rights.

Ann Widdecombe was first to make a speech against the Bill and presented the Lords’ amendments as an equality measure:

I do not impute wrecking motives to those who voted in a certain way, because they were making a point, saying that the inequalities are not confined to homosexual couples so that if we are concerned about them in the one context, we should also be concerned in the other. The Bill is not, as I said, the place to address that matter.

Equally, the Bill is not the right way to address those problems when applied to homosexuals. The essence of the Bill is that people sign a register, as they do when they marry, which automatically confers all the rights of marriage. If there are problems, such as being dispossessed of a home because of inheritance tax or tenancy arrangements, they should be dealt with separately and they should cover not just homosexual arrangements but others as well. (c.202)

She would “address injustices, but not through aping marriage” (c.204).

Jane Griffiths reported difficulties faced by lesbian and gay couples in her constituency, then argued:

Those real life examples provide evidence that the change we want to make is so right and that the wrecking attempts in the other place are so wrong. (c.206)

She looked forward to the Bill becoming law.

For Robert Key the Bill was a serious attempt to address the injustices facing same-sex couples:

We believe it should be passed in its original form, without the amendment passed by the House of Lords on Report, which extended the scope of the Bill to family members and carers. I have great sympathy for siblings and others in mutually supportive relationships—we all know many such people in our constituencies—but I am convinced that the provision is wrong. That view is shared widely by Carers UK, the Law Society and others, so I very much hope that the House will remove the amendment. (c.206)

He spoke of cultural, social and religious change and hoped the Government would pass the Bill as soon as possible.

David Borrow hoped to take advantage of the Bill once it was passed. In his largely personal speech, he argued:

The amendments agreed in the Lords will, I hope, be thrown out in Committee. No matter how good the intentions, they are clearly unworkable. If we are to tackle some of the issues raised by the amendments, it is better done elsewhere. (c.210)

His main concern was the importance of gay relationship recognition. He looked forward to the Bill's successful passage.

Controversy resumed with Christopher Chope. He wondered why the Bill was not called "the same-sex partnership Bill" (c.211):

I suspect that the amendment was passed in the House of Lords—I include myself among those who sympathise with the arguments made there—because people took the Bill at face value and thought that it was about giving new rights to people who are in partnership outside marriage. If it were designed merely to enable those in settled long-term relationships to have a better deal from inheritance tax law or pension benefit law, I would have no problem with it. (c.211)

The Government was missing an opportunity:

However, if we go along with the Government's arguments on rejecting the Lords amendments to the present Bill, we will have missed a great opportunity to get a fair deal for participants in long-term relationships outside marriage. (c.211)

Edward Leigh concurred:

The truth is that no Government will ever address that issue in any Finance Bill. Doing so would simply be too expensive. (c.211)

Christopher Chope added:

It is disingenuous of the Government to argue that they will give serious consideration to the matter when they have an opportunity, in the form of the Civil Partnership Bill, to ensure that there is no discrimination between different types of relationship outside marriage. We should deal with all such relationships on the same basis. (c.211)

His closing remark, that the Bill was a “buggers’ muddle” (c.213) was noted to be “deliberately offensive” by Chris Bryant (c.224).

John Bercow strongly supported the original Bill and strongly opposed Baroness O’Cathain’s amendment, which he dealt with in cogent detail. Firstly:

The rationale of this Bill is not to deal with inheritance tax, nor is it principally about tax relief—its focus is relationship recognition. If my right hon. and hon. Friends want to argue the case for the reduction or abolition of inheritance tax, good luck to them—I happen to think that they have a powerful case—but inheritance tax relief was never originally a rationale for the introduction of the Bill, and it certainly should not be allowed to hijack it and become its defining or central feature now. (c.218)

Second, he argued the amendment supported neither marriage nor the family:

Indeed, it is not even neutral. It is counter-productive. It is a force for undermining marriage and damaging the family. The hon. Member for Wallasey (Angela Eagle), in a persuasive speech, gave the example of a woman living in a civil partnership with her mother. It is important to underline the significance of that example. If that young woman decides that she wants to get married, she must extricate herself from the civil partnership and then demonstrate that there has been an irretrievable breakdown of her relationship with her mother—and there is a possibility that she could wait for up to five years before her wish to marry would be fulfilled. What could be more anti-marriage than that? [...] If, within a family civil partnership, there is a breakdown, and the dissolution process is set in train, there would have to be, quite properly, equitable financial provision for all the different parties involved. Certainly, in most cases, it is foreseeable that the family home would have to be sold. The prospect exists that an elderly relative would be evicted from the home in which he or she had long lived. What could be more anti-family than to do that? (c.218-9)

Third, he tackled Baroness O’Cathain’s claim to be helping carers:

Of course, as right hon. and hon. Members on both sides of the Chamber will acknowledge, very large numbers of carers are within the family, and yet if that is the principal motive force behind the amendment, how does she explain the fact that she failed to consult the principal representative organisation of carers, which has been championing their interests for 40 years, Carers UK? She did not consult the Law Society or the Solicitors Family Law Association either. Each and every one of those three organisations—I name only three at this stage—believes that there are potent objections to the amendment. (c.219)

Nicholas Winterton asked:

Does not he think that he is being unfair on my noble Friend Baroness O’Cathain, who was trying to put right an injustice whereby a daughter, for example, could look after her elderly family for many years, and when her mother and father die might have to leave the family home because she cannot pay the inheritance tax that would be due on the property, which has been her home for the whole of her life? (c.219)

John Bercow countered:

The reality is that most of us have studied the debates on the Bill, and my noble Friend Baroness O’Cathain set out her stall at an early stage, on Second Reading. I am willing to acknowledge that there will be people who voted for that amendment in good faith, who believe that it can be of benefit and who are not motivated by any desire to undermine the Bill. The trouble is that that argument does not work for my noble Friend Baroness O’Cathain, any more than it works in favour of my noble Friend Lord Tebbit. Both those individuals made it clear beyond doubt that they passionately opposed the Bill and wished that it had never been brought before the House in the first place. (c.219)

He added:

I reiterate what seems an important constitutional point. It was grossly irresponsible of Baroness O’Cathain to press the amendment—successfully, as it transpired—without undertaking the elementary duty of consulting the organisations whose client groups would be affected. Equally, it was grossly irresponsible of the other place to allow the amendment to pass, in the full knowledge that Baroness O’Cathain had failed so to consult. (c.220)

His fourth argument concerned the amendment’s financial implications:

To suggest an additional £2.25 billion-worth of expenditure, which is what the extension to close family relatives of civil partnership arrangements would require, seems an extraordinarily profligate way in which to behave. I am bound to say to my right hon. Friend the Member for West Dorset (Mr. Letwin)—the distinguished shadow Chancellor—that if my party is to pursue a policy of fiscal restraint, it seems a rather curious state of affairs to allow the party in the other place to go ahead with a proposal of this kind. (c.220)

He clarified:

Ultimately, the O'Cathain amendment is but a smokescreen. It is a smokescreen erected by its proposers in a determined but ultimately doomed attempt to conceal their deep-seated hostility to the very principle of gay equality. For in fact, of course, they simply cannot abide it. They despise it. They are frightened by it. The policy of the Bill's most vociferous opponents is driven not by considerations of reason, logic or fairness, but by considerations of paranoia and prejudice. Such an approach should be thoroughly denounced and rejected. (c.220)

He was also critical of the Conservative party's record. It was not good enough to "retreat under the comfort blanket of a free vote" (c.220).

Desmond Turner was heartened by John Bercow's articulation of why the Lords' amendments must be removed:

I had thought myself perhaps a little cynical about the motives of those who tabled those amendments, but the hon. Member for Buckingham has made me realise that I am absolutely justified in my cynicism about them. (c.221)

He went on to note the change in the Opposition Benches attitude' before chiding the Conservative record on lesbian and gay reforms.

Chris Bryant acknowledged discussion of the Lords' amendments, but wanted to say more. He was bewildered by the Tory obsession with inheritance:

I am not sure whether that is because they all form part of the 5 per cent. whose estates might fall liable to inheritance tax, or because they are worried about dying off, given that they are so elderly. Either way, the inheritance tax issue is one of the largest red herrings—in fact, it is a red cod or a red tuna fish—in the middle of the Bill. (c.226-7)

He believed the amendments were tabled to wreck the Bill, that was not to say all who voted for them sought to do so:

Lord Tebbit's views on homosexuality are extremely well known. He aired them on the 'Today' programme, when I heard one of the most bizarre things that I have heard in all my life: he said that one of the major causes of childhood obesity in this country was the Government's promotion of buggery. That was one of the most extraordinary leaps. [...] Baroness O'Cathain's views on homosexuality seem similar. She has taken up the mantle that was cast upon her, Elijah-like, by Baroness Young in opposing [the repeal of] section 28. So we know exactly what her aim was; she declared it very openly in moving her amendments. Incidentally, I thought she was wrong to press them to a vote because that showed that they were not about simply airing the issues, but specifically about trying to wreck the Bill. Let us be honest: some people think that homosexuality is wrong and a sin. (c.227)

He argued Baroness O’Cathain’s amendment was bizarrely worded and outside the scope of the Bill. He was surprised it had been allowed to be tabled.

Charles Hendry made no mention of the amendments in his speech, but in response to his tribute to Stonewall, Gerald Howarth asked:

Is my hon. Friend aware that Stonewall brought enormous pressure to bear on British Airways to disown our noble Friend Baroness O’Cathain, who is a director of BA? She may be forced out because of the views that she honourably and honestly expressed in another place. Does my hon. Friend think that that was a good thing for Stonewall to have done? (c.232)

Charles Hendry did not think it was a bad thing:

Shareholders will decide whether our noble Friend is the right person to hold a position on that board. My hon. Friend says that she may be forced out. It is entirely legitimate in a democracy to make people aware of the views and the comments that others have expressed. (c.232)

He went on to challenge the idea that the Bill gave unfair advantages to lesbians and gay men. He saw the Bill as part of kicking negative attitudes into history.

Gerald Howarth was next to address the amendments and used pro-CP MPs accounts of injustice to launch a plea for ‘other injustices’:

I understand how they must feel, but as my noble Friend Baroness O’Cathain pointed out in the other place, there are other injustices as well. Her amendments were designed to draw to the public’s and Parliament’s attention the fact that the Bill sought to remedy one set of injustices without remedying another. It is no good certain of my hon. Friends and others who support the Bill saying, “Well, those are separate matters and we will deal with them later.” These people feel that their injustice should have been dealt with. They wonder why homosexual couples should be treated favourably in this way, when the problems that they face have not been resolved. (c.240)

As with other opposing speakers, he had no real-life examples of “these people”.

Baroness O’Cathain’s amendment was to help people living co-dependently:

Setting up an alternative to marriage—or a parallel to it, as my hon. Friend the Member for Rutland and Melton suggests—is not the answer. (c.240)

He reminded the House of an old adage “sad cases make bad law” (c.241). This

provoked an *[interruption]*, presumably for its subversion of ‘hard cases make bad law’ by substituting ‘sad’—as negatively applied to ‘homosexuals’ in past years (eg. HL 18.12.1986 c.312; HL 12.7.1994 c.1772). He then claimed the expression was familiar in legal circles but rephrased it “these are sad cases, involving people who are in difficulty” (c.241), which suggests deliberate subversion.

Angela Watkinson complained the Minister had given “the impression that the Bill would exclusively benefit homosexual couples” (c.241).

Unamended, the scheme will apply only to gays and lesbians, and other house sharers will be excluded. Would two elderly ladies living together for most of their lives have to affect to be homosexual in order to gain the advantages in law as described in the Bill? Would one of two sisters sharing a house over a long period incur inheritance tax when the other dies? Under the Bill, if a homosexual couple registered their partnership, even after a few months, one would inherit tax free if a partner died. That amounts to an injustice where there was none before. (c.242)

She suggested the Bill was unnecessary, whether its purpose was to overcome tax injustices or to create a “pseudo-marriage” (*ibid*). In her view the traditional family and procreation of children was the basis for a stable society.

Edward Leigh summarised for the anti-CP Conservatives (c.242) and argued for an addition to the existing corpus of marriage law:

We must now create another corpus of law, either with this Bill or with a Finance Bill, to relieve the unfair burden placed on people who have lived together a long time and who want to leave pension rights or property to each other, or who want to visit each other in hospital or enjoy all the other benefits that have been mentioned today. (c.243)

Cohabitees in non-sexual relationships were being treated unfairly. He conceded the Lords’ amendments were unworkable, but implied this was because the Government were not “serious about addressing anomalies that hit people who have been living together for a long time” (c.243).

Tim Boswell summarised for modernising Conservatives. He was the only MP to address the lack of provision for married transsexuals in the Bill. The Lords’ amendments were briefly mentioned:

What has inevitably featured extensively is the tranche of amendments moved by my noble Friend Baroness O’Cathain, which cause real difficulty for the Bill, so I shall have no problem if the Government want to remove them in Committee. The difficulty is partly practical. For example, what would be the situation of three sibling sisters living together? Could they conclude a simultaneous civil partnership with each other, or if not, which of them would be excluded and on what grounds? The mind boggles. (c.245)

He argued that the need to look at the position of carers should not “get in the way of the thrust of the Bill’s equality legislation for civil partnerships” (c.246).

Anne McGuire, Under-Secretary of State for Scotland, after summarising for the Government, turned to general matters before concluding.

As we have heard from examples cited today, the amendments made in the other place frankly left us in a faintly surreal situation. Although I would not impugn the reputation of all those who supported the amendments, the Bill was hijacked for reasons that are generally recognised to be outwith its scope. (c.249)

She affirmed, it was the legal invisibility of same-sex couples the Bill addressed, it did not undermine marriage. The people affected by the Bill were ordinary people going about their daily lives. It was “time to offer them dignity, justice and the right to be treated fairly” (c.250), she then commended the Bill to the House.

These views of the Lords’ amendments show that the Bill’s opponents were intent on preventing recognition of lesbian and gay couples. They denied that lesbian and gay couples were disadvantaged and clearly resented them being treated as such. The opponents’ concern with protecting marriage and by proxy heterosexuality is further examined in the following sections.

### **Words and Themes**

The following analyses focus on each side’s top-ten keywords (Appendices 83 & 84) and their collocates (Appendices 85 & 86). Core features of their contributions to the debate are shown on Flowcharts 11 and 12 below.



The top pro-CP keyword *AND* (Appendix 84) is not on Flowchart 11. While 26/29 terms on the chart are its collocates (Appendix 86) it is not meaningfully pivotal. In about 600 of the 853 concordance lines (Appendix 87) its uses are routine (linking clauses or adding information). Other uses are predictable:

two-part constituency titles (34 lines)	lists of the Bill's provisions (11 lines)
formal references to other MPs (21 lines)	lists of countries recognising partners (9 lines)
references to relatives <i>and</i> carers (19 lines)	lists of UK countries (5 lines)
references to lesbians <i>and</i> gay men/gay men <i>and</i> women/lesbian <i>and</i> gay (18 lines)	

Less predictable are paired words, often with related meanings and emotive import, which serve to reinforce points being made, for example:

<i>rights &amp; responsibilities</i> (19 lines)	<i>each &amp; every one</i> (2 lines)
<i>family(ies) &amp; friends/friends &amp; family(ies)</i> (7 lines)	<i>for all Britain &amp; all Britons</i> (2 lines)
<i>equality &amp; social justice/social justice &amp; equality</i> (5 lines)	<i>full equality &amp; full justice</i> (2 lines)
<i>goods &amp; services</i> (4 lines)	<i>unfairness &amp; unequal treatment</i> (2 lines)
<i>in sickness &amp; in health</i> (3 lines)	<i>loved &amp; cared for</i> (2 lines)
<i>acknowledged &amp; accepted</i> (2 lines)	<i>stable &amp; committed</i> (2 lines)

*RIGHTS and responsibilities* was something of a Labour mantra; it was used only once by a non-Labour MP supporting the Bill. Other variously paired words are:

<i>discrimination(s)</i> (8 lines)	<i>fair</i> (3 lines)	<i>unequivocal</i> (3 lines)	<i>hardship</i> (2 lines)
<i>commitment</i> (5 lines)	<i>love</i> (3 lines)	<i>absurd</i> (2 lines)	<i>opportunities</i> (2 lines)
<i>support</i> (4 lines)	<i>Parliament</i> (3 lines)	<i>difficult</i> (2 lines)	<i>unfair</i> (2 lines)
<i>damaging</i> (3 lines)	<i>respect</i> (3 lines)	<i>fairness</i> (2 lines)	<i>unworkable</i> (2 lines)

Most pairings occur in positive presentations of the original Bill or *SAME-SEX relationships*; others occur in criticisms of the Lords' amendments or accounts of the need for *legal recognition of SAME-SEX COUPLES*.

On Flowchart 11, *SAME-SEX*, *PARTNERS*, *RIGHTS* and *COUPLES* are pivotal. While *SEX* is the keyword given (Appendix 84), *same* is its top collocate (Appendix 86) and hyphenated in 98/115 lines (Appendix 87). *SAME-SEX* is therefore treated as a keyword. The upper part of the chart relates to the need for legal recognition; the lower part to the Bill's provisions.



Like *RIGHTS and responsibilities*, *SAME-SEX* was more used by Labour speakers (74.5% of the uses from their 52.3% of the pro-CP words). This suggests a strategic deflection of sexuality (see also Chapter 8) and is supported by the greater non-Labour use of *gay* (67.6% of the uses from speakers 47.7% of the pro-CP words). The nouns to which *SAME-SEX* applies are predictable:

<i>COUPLES</i> (65 lines)	<i>PARTNERS</i> (7 lines)	<i>couple</i> (4 lines)	<i>relationship</i> (1 line)
<i>relationships</i> (14 lines)	<i>partnerships</i> (5 lines)	<i>marriages</i> (1 line)	<i>and married couples</i> (1 line)

The lines for *SAME-SEX* (Appendix 87) fall into five main categories of argument. The largest concerns the difficulties faced by *SAME-SEX*—mostly *COUPLES* and accounts for 21/98 lines, for example:

5	ersonal stories of difficulties faced by same-sex couples precisely because they lac	JS 12.10.pro.txt
8	I identified the specific problem for same-sex couples—the legal invisibility of the	JS 12.10.pro.txt
20	d solution to the disadvantages that same-sex couples face because they cannot g	JS 12.10.pro.txt
27	pt their booking because they are a same-sex couple. Most people in the House	BR 12.10.pro.txt
30	ich, after the death of a partner in a same-sex relationship, the surviving partner	AC 12.10.pro.txt
37	For many years, same-sex couples have had to live not only w	AE 12.10.pro.txt
40	ionships", which so damaged many same-sex couples during the era of section 2	AE 12.10.pro.txt
49	mpt to address the injustices facing same-sex couples in the context of changing	RK 12.10.pro.txt
51	any of the injustices faced by stable same-sex couples. We also believe that it sho	RK 12.10.pro.txt
62	explanation of the dilemmas facing same-sex couples in permanent long-term re	AMk 12.10.pro.txt
70	ment in this Session, because many same-sex partnerships face hardship and dis	AMk 12.10.pro.txt
86	"Same-sex couples . . . are . . . invisible in the	CH 12.10.pro.txt
98	ed to some of the personal stories of same-sex couples. We heard similar stories t	AMg 12.10.pro.txt

More specific difficulties emerged from case histories given by various speakers—most were caused by the lack of partnership recognition. The second category concerns recognition and accounts for 12 lines, for example:

14	couples choose to marry. However, same-sex couples currently have no route of	JS 12.10.pro.txt
21	clear and unequivocal message that same-sex couples deserve recognition and re	JS 12.10.pro.txt
23	justified. It is designed to recognise same-sex relationships while applying the sa	AD 12.10.pro.txt
35	osition regarding the recognition of same-sex marriages constituted in Massachu	AC 12.10.pro.txt
38	ght and to grant legal recognition to same-sex partnerships. That gives them righ	AE 12.10.pro.txt
53	ng legal and practical recognition to same-sex relationships, the Bill may help to	RK 12.10.pro.txt
63	ed to provide formal recognition for same-sex couples and to address the disadva	AMk 12.10.pro.txt
71	tackled—by the legal recognition of same-sex partnerships. The Bill is not about	JB 12.10.pro.txt

These lines support the Bill and *SAME-SEX couples/relationships/partnerships*.

The third category concerns the relation of civil partnership to marriage, but the 23 lines fall into different strands of argument. Eight lines occur in affirmations of the Bill's equivalence to marriage, for example:

12	ill provide the same opportunity for same-sex couples to gain legal recognition of	JS 12.10.pro.txt
19	t income-related benefits rules treat same-sex couples in the same way as opposit	JS 12.10.pro.txt
29	ights and opportunities to people in same-sex relationships as are currently offer	AC 12.10.pro.txt
33	rts and all. They have sought to put same-sex couples in exactly the same positio	AC 12.10.pro.txt
36	tion, equality of legal recognition to same-sex partners, who until now have not h	AE 12.10.pro.txt
48	tem of civil registration would allow same-sex couples to be treated in the same	JG 12.10.pro.txt

Six lines complain the Bill's provisions are unequal to those for marriage:

10	an inequality of treatment between same-sex couples and married heterosexual	AE 12.10.pro.txt
22	ged by the retrospectivity applied to same-sex couples. That needs to be discusse	AD 12.10.pro.txt
32	t in the new law. The Bill will allow same-sex partners to accrue survivor's pensi	AC 12.10.pro.txt
42	ightly identified, as drafted it treats same-sex couples and married heterosexual	AE 12.10.pro.txt
64	roviding retrospective provisions for same-sex couples. However, she missed the	AMk 12.10.pro.txt
69	ather than its simply being inferred. Same-sex couples who express consent want	AMk 12.10.pro.txt

Five lines occur in dissociations of civil partnership from marriage:

52	n understand why some committed same-sex couples yearn to call themselves m	RK 12.10.pro.txt
54	nd civil partnership or nothing for a same-sex couple.	RK 12.10.pro.txt
61	not apply to relationships between same-sex partners. I support the Governmen	AMk 12.10.pro.txt
83	n about parallel lines. I do not want same-sex relationships to ape marriage in an	CB 12.10.pro.txt
92	ips. I think that it is fair to say that same-sex couples could have a ceremony in	AMg 12.10.pro.txt

Four confirm the pension inequalities will be addressed:

94	n public service schemes, registered same-sex couples will be treated in the sam	AMg 12.10.pro.txt
95	quality, as they will allow registered same-sex partners to accrue survivor pensio	AMg 12.10.pro.txt
96	posite-sex couples are replicated for same-sex couples. We have made it clear tha	AMg 12.10.pro.txt
97	inance Bill to ensure that registered same-sex couples will be treated the same as	AMg 12.10.pro.txt

The pro-CP speakers were caught in a bind. In defending the Bill against its opponents, they differentiated it from marriage; in upholding it as an equality measure they emphasised its equivalence to marriage. Despite complaints that the pension provisions were not equivalent to those for marriage, upholding the Bill's equivalence to marriage outnumbered the differentiations. This suggests

greater speaker confidence in the appeal of equality arguments. The fourth category concerns the Bill's provisions and accounts for nine lines, for example:

1	creating a new legal relationship for same-sex couples, this Bill is a sign of the G	JS 12.10.pro.txt
4	importance of stable and committed same-sex relationships. It marks a major ste	JS 12.10.pro.txt
9	The Bill would allow same-sex couples security in life, peace of mi	JS 12.10.pro.txt
16	the rights and responsibilities that same-sex couples are given support them i	JS 12.10.pro.txt
17	After going through the process, same-sex couples' relationships will no longe	JS 12.10.pro.txt
18	y resolve many of the problems that same-sex couples face, including issues of h	JS 12.10.pro.txt
50	ecular solution to the way in which same-sex couples are treated, but there is al	RK 12.10.pro.txt

In 13 lines, the collocates *committed*, *stable*, *love* (Appendix 86) and related terms positively present the relationships the original Bill was providing for:

3	importance of stable and committed same-sex relationships.	JS 12.10.pro.txt
4	importance of stable and committed same-sex relationships. It marks a major ste	JS 12.10.pro.txt
26	pport from people who had been in same-sex relationships for years. They loved	BR 12.10.pro.txt
41	bilities for people who live in caring same-sex relationships, is irrelevant. Clearly,	AE 12.10.pro.txt
51	any of the injustices faced by stable same-sex couples. We also believe that it sho	RK 12.10.pro.txt
52	n understand why some committed same-sex couples yearn to call themselves m	RK 12.10.pro.txt
57	d many others who are in long-term same-sex relationships.	DB 12.10.pro.txt
72	s original form, will be about loving, same-sex couples, who want to make a com	CB 12.10.pro.txt
73	rdained by God, it is impossible for same-sex couples to love one another. I defy	CB 12.10.pro.txt
74	ld learn much. If they still said that same-sex couples could not love one another	CB 12.10.pro.txt
75	ere are also people who believe that same-sex couples who love one another cann	CB 12.10.pro.txt
76	find difficult to accept is that loving same-sex couples who want to make a comm	CB 12.10.pro.txt
89	t value and humanity of committed same-sex relationships.	AMg 12.10.pro.txt

The lines for *SAME-SEX* are therefore closely allied to the original Bill's purpose.

The lines for *COUPLES* (Appendix 87A) follow a similar pattern with considerable overlap in outlines of the Bill's provisions and the difficulties faced by *SAME-SEX/gay COUPLES*. The adjectives applying to *COUPLES* are:

<i>SAME-SEX</i> (65 lines)	<i>opposite-sex</i> (6 lines)	<i>homosexual</i> (2 lines)	<i>loving</i> (1 line)
<i>gay</i> (15 lines)	<i>mixed-sex</i> (5 lines)	<i>gay and lesbian</i> (1 line)	" <i>normal</i> " (1 line)
<i>married</i> (10 lines)	<i>heterosexual</i> (4 lines)	<i>lesbian</i> (1 line)	

The largest category of argument, 46/131 lines, concerns the relation between marriage and civil partnership which further illustrates the related strands of argument. Sixteen lines affirm the Bill's equivalence to marriage, for example:

16 as currently exists for opposite-sex couples through the route of marriage. That JS 12.10.pro.txt  
 24 les in the same way as opposite-sex couples. Child support rules will assess civil JS 12.10.pro.txt  
 47 . They have sought to put same-sex couples in exactly the same position as people AC 12.10.pro.txt  
 59 il registration would allow same-sex couples to be treated in the same way as oth JG 12.10.pro.txt  
 66 onship as those enjoyed by married couples. I am a strong supporter of tradition RK 12.10.pro.txt  
 93 ief that currently applies to married couples transferring assets to each other, clo JB 12.10.pro.txt  
 112 ame rights as heterosexual married couples who have made the same legally bin CH 12.10.pro.txt  
 114 n 18 and 30 said yes, of course gay couples should have exactly the same rights JB 12.10.pro.txt  
 118 t ensure through this Bill that such couples have the chance to have the same op CH 12.10.pro.txt

Nine lines complain the Bill's provisions are unequal to marriage, for example:

9 x couples and married heterosexual couples in relation to survivor benefits under AE 12.10.pro.txt  
 28 pension schemes for registered gay couples? RM 12.10.pro.txt  
 29 retrospectivity applied to same-sex couples. That needs to be discussed properly AD 12.10.pro.txt  
 52 x couples and married heterosexual couples unequally in respect of survivors' pe AE 12.10.pro.txt  
 86 its simply being inferred. Same-sex couples who express consent want to do so e AMk 12.10.pro.txt  
 102 a significant issue for many lesbian couples. Two women living together may hav CB 12.10.pro.txt

Five lines occur in dissociations of civil partnership from marriage:

67 should be reserved for heterosexual couples and that it should have a religious a RK 12.10.pro.txt  
 68 and why some committed same-sex couples yearn to call themselves married, bu RK 12.10.pro.txt  
 69 thermore, the fact that opposite-sex couples cannot enter into a civil partnership RK 12.10.pro.txt  
 91 il registration arrangements for gay couples will be to undermine marriage, my r JB 12.10.pro.txt  
 123 k that it is fair to say that same-sex couples could have a ceremony in addition to AMg 12.10.pro.txt

Ten lines address the Bill's exclusion of heterosexual couples, for example:

12 position of unmarried opposite-sex couples, many of whom are under the misap JS 12.10.pro.txt  
 14 that there are aspects on which all couples who live together need protection, es JS 12.10.pro.txt  
 33 answer is clearly no, because such couples have the option of marriage, in eithe AD 12.10.pro.txt  
 34 to apply civil partnerships to such couples would undermine marriage. That is AD 12.10.pro.txt  
 46 ating to civil marriage for mixed-sex couples, warts and all. They have sought to p AC 12.10.pro.txt  
 48 king the Bill available to mixed-sex couples, but in practice I can see no material AC 12.10.pro.txt  
 54 ute rule. My Bill sought to allow all couples living together to register their relati JG 12.10.pro.txt

Six lines confirm financial inequalities will be addressed:

125 ervice schemes, registered same-sex couples will be treated in the same way as m AMg 12.10.pro.txt  
 126 treated in the same way as married couples. The change will be achieved by mea AMg 12.10.pro.txt  
 127 and responsibilities of opposite-sex couples are replicated for same-sex couples. AMg 12.10.pro.txt  
 128 couples are replicated for same-sex couples. We have made it clear that we will u AMg 12.10.pro.txt  
 129 l to ensure that registered same-sex couples will be treated the same as married c AMg 12.10.pro.txt  
 130 will be treated the same as married couples for tax purposes. AMg 12.10.pro.txt

The Bill's exclusion of heterosexual couples was justified on the grounds that they had the option of marriage, which confirms the Government's ring-fencing of marriage as a heterosexual institution.

The lower part of Flowchart 11 relates more closely to the Bill's provisions. The people *PARTNERS* refers to differentiates it from the use of *COUPLES* in that only one line includes heterosexuals:

<i>civil</i> (8 lines)	<i>lesbian</i> (1 line)	<i>our</i> (gay men and women 1 line)
<i>same-sex</i> (7 lines)	<i>lesbian and gay</i> (1 line)	<i>they</i> (homosexual people 1 line)
<i>surviving</i> (5 lines)	<i>their</i> (same-sex partners 2 lines)	<i>drawn from outwith the family</i> (1 line)
<i>bereaved</i> (2 lines)	<i>their</i> (gay spouses overseas 1 line)	<i>of people who have died</i> (1 line)
<i>surviving civil</i> (2 lines)	<i>their</i> (people who are gay 1 line)	<i>who have been together for a long time</i>

The 36 lines for *PARTNERS* (Appendix 87) fall into three main categories of argument. The first concerns unequal pension provisions and accounts for 12 lines, for example:

9	n pension entitlement for surviving partners. It makes no sense to undertake an	AC 12.10.pro.txt
10	ew law. The Bill will allow same-sex partners to accrue survivor's pensions in pu	AC 12.10.pro.txt
11	t on pension provision for surviving partners, and given what we have heard this	CB 12.10.pro.txt
12	om providing pensions for surviving partners on the basis of parity with spouses.	CB 12.10.pro.txt
15	talking about pensions for surviving partners. I very much welcome the commitm	AE 12.10.pro.txt
16	that people in a similar state—civil partners or spouses—have access to the sam	AE 12.10.pro.txt
24	paid into the pot knowing that our partners will not benefit from it, yet we have	DB 12.10.pro.txt
33	next 10 days to offer surviving civil partners parity with widowers' pension arran	CB 12.10.pro.txt

Unlike those for married couples, bereaved civil *PARTNER* pensions dated from commencement of the Bill rather than the start of contributions. Ann McGuire's announcement that bereaved-*PARTNER* access to public-sector pension schemes would be backdated to 1988 partly addressed the inequality. Seven more lines occur in outlines of the Bill's provisions, for example:

2	hts and responsibilities for the civil partners involved. The provisions will ensure	JS 12.10.pro.txt
3	nd obligations to each other as civil partners will be significant. They will have re	JS 12.10.pro.txt
4	Child support rules will assess civil partners in the same way as married people,	JS 12.10.pro.txt
5	me way as married people, and civil partners will be entitled to most state pensio	JS 12.10.pro.txt
6	ed people are made available to civil partners from the date of the Bill's commenc	JS 12.10.pro.txt
7	d to put in place to ensure that civil partners have the opportunity to have that ci	JS 12.10.pro.txt

Five lines concern the difficulties *PARTNERS* faced:

1	uded terminally ill people and their partners who had to face not just the heartbr	JS 12.10.pro.txt
23	re are well-documented cases of the partners of people who have died or become i	DB 12.10.pro.txt
29	mbers have referred to the fact that partners who have been together for many ye	CB 12.10.pro.txt
30	lationship. Sometimes the bereaved partners had to have separate ceremonies be	CB 12.10.pro.txt
31	ers have mentioned, many bereaved partners are made homeless. They may be u	CB 12.10.pro.txt

Given that *lesbian* and *gay PARTNERS* were the intended beneficiaries of the Bill, anti-CP speakers virtual non-use of *PARTNERS* is significant. It was outside their repertoire (Voloshinov 1986: 20), replete with pro-CP contexts and therefore “overpopulated with the intentions of others” (Bakhtin 1981: 293-4). This non-appropriation compounds anti-CP opposition to the recognition of *lesbian* and *gay relationships*. The only anti-CP use of ‘partners’ was in a quote where it refers to unmarried heterosexual partners (c.212).

A wide range of adjectives, possessives and determiners apply to *RIGHTS*:

<i>legal</i> (8 lines)	<i>property</i> (4 lines)	<i>child’s</i> (1 line)	<i>some</i> (1 line)
<i>human</i> (6 lines)	<i>their</i> (LG couples’ 2 lines)	<i>employment</i> (1 line)	<i>special</i> (1 line)
<i>same</i> (6 lines)	<i>their</i> (heterosexuals’ 1 line)	<i>equal</i> (1 line)	<i>succession</i> (1 line)
<i>those</i> (CP, 5 lines)	<i>additional</i> (1 line)	<i>extra</i> (1 line)	<i>survivor’s</i> (1 line)
<i>those</i> (married, 1 line)	<i>adoption</i> (1 line)	<i>extra set of</i> (1 line)	<i>retrospective</i> (1 line)
<i>pension</i> (4 lines)	<i>basic</i> (1 line)	<i>next-of-kin</i> (1 line)	<i>welter of</i> (1 line)
<i>prior</i> (4 lines)	<i>certain</i> (1 line)	<i>package of</i> (1 line)	

The 88 lines (Appendix 87) fall into six main categories of argument. The largest presents the Bill’s provisions and accounts for 15 lines, for example:

1	er into a legal relationship in which rights are balanced with responsibilities and	JS 12.10.pro.txt
11	will flow from that relationship. The rights and responsibilities are serious, so ent	JS 12.10.pro.txt
12	n. That process would involve both rights and responsibilities for the civil partne	JS 12.10.pro.txt
13	annot be exited lightly and that the rights and responsibilities that same-sex cou	JS 12.10.pro.txt
28	ssage of the Bill; next of kin rights; rights to death registration; intestacy recogni	AE 12.10.pro.txt
36	Bill as a major step forward for the rights and responsibilities of an important se	JG 12.10.pro.txt
62	he status of civil partner a welter of rights and responsibilities that will be influe	JB 12.10.pro.txt
64	nother and who accept not only the rights that civil partnership will give them, b	CB 12.10.pro.txt
78	ngly that the Bill is about conveying rights and although there may be certain pri	TB 12.10.pro.txt

Six lines occur in affirmations of the Bill’s equivalence to marriage, for example:



2	il partnership will receive the same rights and take on the same responsibilities	JS 12.10.pro.txt
3	ror in many ways the requirements, rights and responsibilities that run alongside	JS 12.10.pro.txt
22	as an opportunity to offer the same rights and opportunities to people in same-s	AC 12.10.pro.txt
31	nises—rightly, in my view—the legal rights and responsibilities for people who live	AE 12.10.pro.txt
76	to have the same opportunities and rights. We are dealing with an outdated restr	CH 12.10.pro.txt
88	, which will be amended so that the rights and responsibilities of opposite-sex co	AMg 12.10.pro.txt

The predominance of *RIGHTS and responsibilities* in the Labour lines presents Bill as a circumspect measure and emphasises civil-partner obligation. As with *SAME-SEX*, this suggests strategic Government caution. Conversely, the stress on equality counters opposing claims that the Bill awarded special privileges to a selected few. Eight lines specifically address these claims:

18	argued, about giving an extra set of rights to gay couples and thereby discrimina	AD 12.10.pro.txt
50	, rather than simply give additional rights. It recognises that our society, on the	AMk 12.10.pro.txt
61	uality; it is not about giving special rights, but it is about affording equal treatm	JB 12.10.pro.txt
65	e that point. I do not see how giving rights to one set of people would undermine	CB 12.10.pro.txt
66	set of people would undermine the rights of others. Indeed, I have always believe	CB 12.10.pro.txt
71	some have suggested, to give extra rights to same-sex couples; it is simply to giv	CH 12.10.pro.txt
72	s; it is simply to give them the same rights as heterosexual married couples who	CH 12.10.pro.txt
87	, just because we want to give legal rights to people in that position, that does no	AMg 12.10.pro.txt

In addition to affirmations of the Bill's equivalence to marriage, nine more lines occur in more general arguments for partnership equality, for example:

15	ted gay couple are denied the basic rights that a married heterosexual couple wo	AD 12.10.pro.txt
20	ter their relationship and enjoy the rights that many of us take for granted.	BR 12.10.pro.txt
69	arried, I became eligible for certain rights and entitlements and, to go with that,	CH 12.10.pro.txt
70	mply cannot understand why those rights that I as a married man take entirely f	CH 12.10.pro.txt
73	uples should have exactly the same rights as heterosexual couples?	JB 12.10.pro.txt
80	t if their objective is to secure those rights through a parallel process, they shoul	TB 12.10.pro.txt
82	e financial implementation of those rights. It would be helpful if the Minister cou	TB 12.10.pro.txt

A further nine lines argue specifically for equal pension provision, for example:

14	aying categorically today that equal rights will be retrospectively applied for publi	AD 12.10.pro.txt
16	, practical matters such as pension rights and financial issues are on one side, b	AD 12.10.pro.txt
23	ion schemes to obtain retrospective rights back to 1976, if they had paid the app	AC 12.10.pro.txt
25	e the acquisition of inferior pension rights for a surviving spouse in certain circu	AC 12.10.pro.txt
46	d me a discount, because survivor's rights are not applicable to me. It is a matter	DB 12.10.pro.txt
52	s, to allow these important pension rights to be backdated. I urge the Governme	AMk 12.10.pro.txt
68	e. Similarly, survivors have had no rights to a partner's pension. That has been	CB 12.10.pro.txt

Eight lines take issue with the Lords amendments, for example:

4	unable to declare under the Human Rights Act 1998 that the Bill is compatible with	JS 12.10.pro.txt
5	the European convention on human rights.	JS 12.10.pro.txt
6	the European convention on human rights. As I understand it—perhaps she will	RM 12.10.pro.txt
7	the European convention on human rights, as it is discrimination on the basis of	RM 12.10.pro.txt
30	ilities to inheritance tax or property rights somehow ought to be minimised through	AE 12.10.pro.txt
34	t of the Joint Committee on Human Rights, which I recommend that everyone read	AE 12.10.pro.txt

Support for civil partnership as an equality measure pervades the lines for these pivotal pro-CP keywords and confirms support for the original Bill.

\* \* \*

On Flowchart 12, the top anti-CP keyword (Appendix 83) *MARRIAGE* is pivotal. That it is qualified by an adjective in only 34/82 lines (Appendix 88), suggests its heterosexual status was largely assumed:

<i>gay</i> (10 lines)	<i>civil</i> (3 lines)	<i>one and only</i> (1 line)	<i>proper</i> (1 line)
<i>OUTSIDE</i> (8 lines)	<i>legal</i> (1 line)	<i>ordinary</i> (1 line)	<i>pseudo-</i> (1 line)
<i>HOMOSEXUAL</i> (6 lines)	<i>new</i> (1 line)	<i>present</i> (1 line)	

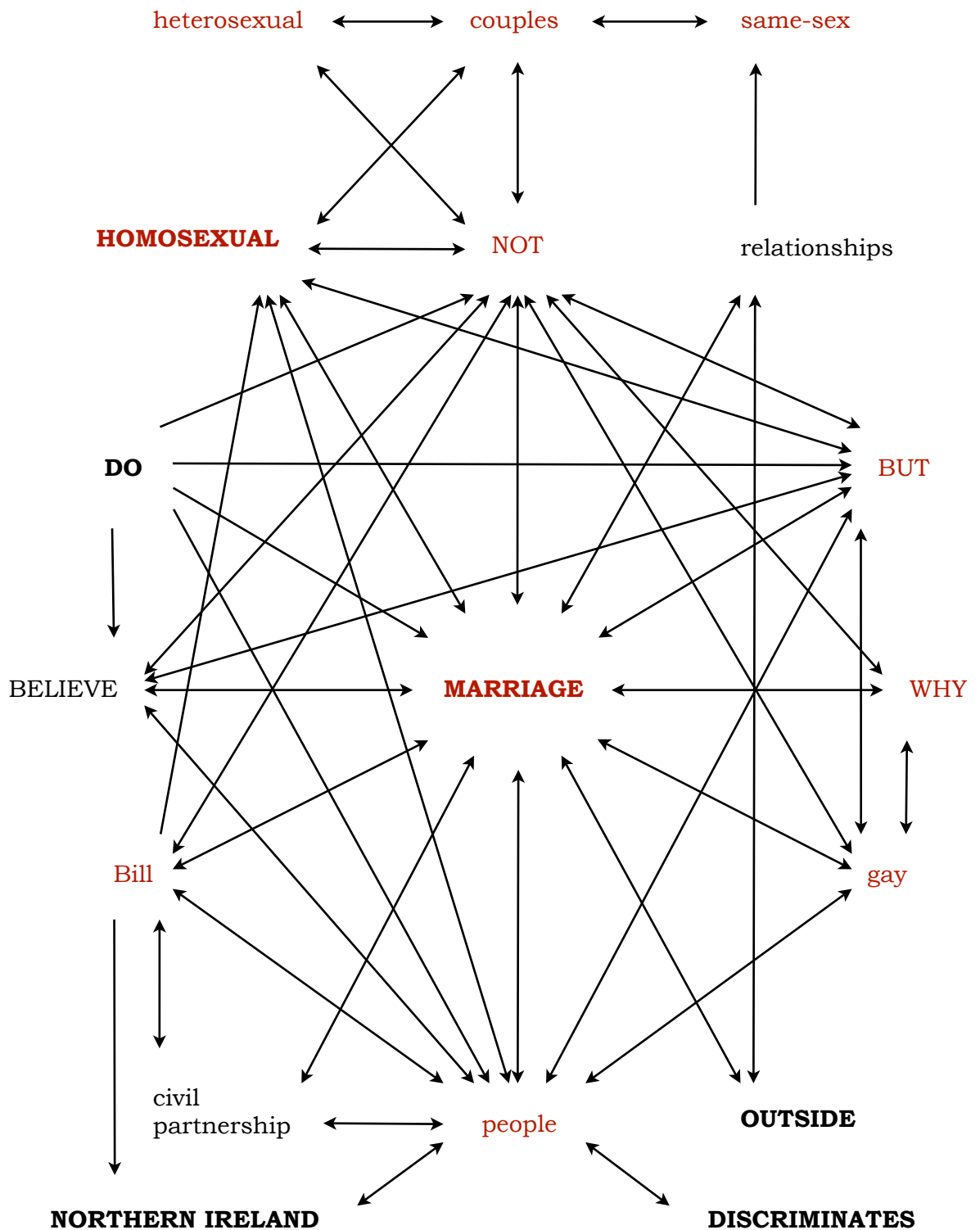
Notably, *heterosexual* and *MARRIAGE* do not collocate (Appendices 85 & 91).

The lines for *MARRIAGE* fall into five main categories of argument. The largest (38 lines) is that the Bill was about *gay/HOMOSEXUAL MARRIAGE*, for example:

1	n future in exactly the same way as marriage in law?	AWi 12.10.anti.txt
2	d announced that they support gay marriage. Why will they not do so?	EL 12.10.anti.txt
3	e Bill is actually about homosexual marriage?	AWi 12.10.anti.txt
4	ister office, has all the attributes of marriage and can be terminated only by a for	EL 12.10.anti.txt
10	g that the Bill is about homosexual marriage. It is about one person in a civil par	AWi 12.10.anti.txt
18	utomatically confers all the rights of marriage. If there are problems, such as bein	AWi 12.10.anti.txt
19	register that exactly resembles the marriage register and by making the divorce	AWi 12.10.anti.txt
20	the same as those that apply to civil marriage. As a result, the proposals would ex	AWi 12.10.anti.txt
37	hed is that the Bill is a homosexual marriage Bill in all but name. As a result, it	CC 12.10.anti.txt
40	Bill does all but equate the terms of marriage breakdown with civil partnership b	CC 12.10.anti.txt
42	is that the Bill is about homosexual marriage.	CC 12.10.anti.txt
51	Such people regard this Bill as gay marriage in all but name, and they simply th	GH 12.10.anti.txt
55	edibility of the Iraq dossier. It is gay marriage in all but name. Ministers cited the	GH 12.10.anti.txt
61	hrase. But in truth, it will be a legal marriage in all but name."	GH 12.10.anti.txt
63	onfetti to illustrate the similarity to marriage.	GH 12.10.anti.txt
67	dren. The Bill rests on the view that marriage and same-sex partnerships are equ	AWa 12.10.anti.txt
80	g what is contained in our ordinary marriage laws—we are not creating a form of	EL 12.10.anti.txt



Flowchart 12: Anti-Civil Partnership Keyword and Collocate Network



key: **BOLD** CAPITALS: keywords in the top ten

BLACK CAPITALS: keywords

**RED CAPITALS:** sexuality-term keywords and keywords collocating with sexuality terms

black lower case: keyword collocates

**red lower case:** sexuality terms and sexuality-term collocates

That non-sexual relationships were considered more worthy is evident in the claim (line 36) that same-sex partnerships were being put on a pedestal. Five lines occur in Christopher Chope's argument that the Bill discriminated against heterosexual couples who could not or would not marry:

31	e historical implications of the word 'marriage' and the historical nature of the in	CC 12.10.anti.txt
32	who do not wish to enter into a new marriage because they feel that they have ha	CC 12.10.anti.txt
33	at they have had their one and only marriage, but that does not stop them enteri	CC 12.10.anti.txt
34	So, too, are the many people whose marriage has collapsed but who, because on	CC 12.10.anti.txt
35	d but who, because one party to the marriage objects, have to serve out their five	CC 12.10.anti.txt

He summarised:

Why are the Government putting one particular type of relationship outside marriage on a pedestal, in preference to all others? The unavoidable conclusion that I have reached is that the Bill is a homosexual marriage Bill in all but name. As a result, it will be a double whammy. It will further undermine the institution of marriage—the holiest state of matrimony. At the same time, it will be an affront to Christians and other faith communities. It will also be an insult to all those who happily share their lives with relatives or friends outside marriage, because their relationships will be given institutional inferiority to homosexual ones. (c.213)

Edward Leigh too cast lesbian and gay partners as inferior in his argument for *MARRIAGE laws* to discriminate *in favour of* (heterosexual) *MARRIAGE*:

68	Our present marriage laws discriminate against many peo	EL 12.10.anti.txt
69	as that it discriminates in favour of marriage. It is neutral about other relationsh	EL 12.10.anti.txt
70	hips, but discriminates in favour of marriage because that is what has happened	EL 12.10.anti.txt
74	we should discriminate in favour of marriage. We do not want to discriminate ag	EL 12.10.anti.txt
75	favour of the building block that is marriage.	EL 12.10.anti.txt
76	about this Bill. We need a corpus of marriage law, and we have one. I have perso	EL 12.10.anti.txt
77	ve one. I have personal views about marriage. For many years, I have said that w	EL 12.10.anti.txt

All five lines for *DISCRIMINATES* (Appendix 88) occur in this same argument.

Ultimately, it was the recognition of lesbian and gay partners in the name of equality that anti-CP speakers objected to, in which the protection of *MARRIAGE* and by proxy heterosexuality avowed *HOMOSEXUAL* inferiority. That anti-CP speakers were protecting heterosexual superiority is evident in successive quotes, for example:

The Minister has several times used the word “equality”. Will she be very specific? Is the equality that she seeks that whereby a homosexual relationship based on commitment is treated in future in exactly the same way as marriage in law?

(Anne Widdicombe c.176-7)

... some of us have a deep-seated and genuine fear that setting up [...] “a parallel institution” will send out the message to the people of this country that there are two equally valid lifestyles and that one can be in a homosexual relationship or a heterosexual—many of us would describe it as normal—relationship? That message will encourage the proliferation of homosexuality.

(Gerald Howarth c.217)

The Bill permits children, whom virtually all the authorities concede should be brought up in a natural household of a man and woman, to be brought up in another form of household.

(Gerald Howarth c.241)

The traditional family provides the basis for a stable society and the procreation of children.

(Angela Watkinson c.242)

On the walls of every register office, it is stated that marriage is about a permanent union between a man and wife, to the exclusion of everyone else.

(Edward Leigh c.242)

It will come and the next step will be for the gay community to insist—rightly, in their view—that gay marriage be recognised, that it should be an offence to attack homosexuality and that it should be taught in schools on equal terms. That is the agenda. Let us not be mealy-mouthed about it.

(Edward Leigh cc.243-4)

Thus heterosexuality’s believed superiority constituted an “assumed community of values” within the speakers’ social group (Voloshinov 2012: 169).

While the protection of (heterosexual) *MARRIAGE* constitutes the mainstay of anti-CP arguments, the lines for *DO* (Appendix 88) expose the weakness of the speakers’ stance. Of the 49 lines, 25 occur in negative statements. In 18 of these, *do not* is auxilliary to a stative verb or verb with stative meaning:

<i>BELIEVE</i> (3 lines)	<i>have</i> (2 lines)	<i>intend</i> (1 line)	<i>take seriously</i> (1 line)
<i>accept</i> (2 lines)	<i>want</i> (2 lines)	<i>recognise</i> (1 line)	<i>think</i> (1 line)
<i>agree</i> (2 lines)	<i>impute</i> (1 line)	<i>share</i> (1 line)	<i>wish</i> (1 line)

Twelve of these negative states are in the first person singular:

5	I do not think so.	AWi 12.10.anti.txt
12	context to rectify those problems. I do not impute wrecking motives to those who	AWi 12.10.anti.txt
14	No, I do not accept that. I am usually in agreemen	AWi 12.10.anti.txt
16	st this Bill. That is not to say that I do not recognise that the law contains certai	AWi 12.10.anti.txt
17	I therefore do not take seriously the Government's sugg	CC 12.10.anti.txt
24	very well-argued case, with which I do not entirely agree but which I respect enti	NW 12.10.anti.txt
28	is has been an interesting debate. I do not intend to disappoint my hon. Friends	GH 12.10.anti.txt
31	w that he is a very generous man. I do not accept his point, and he is unfair in a	GH 12.10.anti.txt
32	erwhelming view in this Chamber, I do not believe the view outside to be the sam	GH 12.10.anti.txt
38	s that ought to be addressed. But I do not believe that this Bill is the means by	GH 12.10.anti.txt
41	encourage children to believe that. I do not share that view; it is not the right thin	GH 12.10.anti.txt
43	ps are equivalent or the same, but I do not believe that they are.	AWa 12.10.anti.txt

These personalisations occur in disagreement with either pro-CP speakers or the Bill's provisions and convey a sense of embattlement—as if anti-CP speakers could defend their position only by negation; they had no credible argument and were outnumbered. In four lines where negative states are attributed to others, the agents are generalised categories:

6	llow that heterosexual couples who do not want to marry might feel that the ter	PG 12.10.anti.txt
21	le who have been widowed and who do not wish to enter into a new marriage bec	CC 12.10.anti.txt
22	of people who live together but who do not effectively have the choice to get marri	CC 12.10.anti.txt
33	e, and there are people outside who do not agree with civil partnerships. Further	GH 12.10.anti.txt

Not a single real-life example of someone holding such views was given. Similarly, two more lines use a generalised anti-CP *we*:

A country that does not uphold the institution of marriage strikes at its own heart. The home is the building block of society. If we do not have good, moral and righteous homes, the nation will suffer.

(Ian Paisley c.223)

We do not want to discriminate against anyone else—not sisters, brothers, uncles, nephews, stepsons or grandfathers, grandsons or gay people.

(Edward Leigh c.242-3)

While Ian Paisley implies non-heterosexual homes are immoral and damaging, Edward Leigh's *want* relegates his claim to intent and his *anyone else* admits existing discrimination—with *or gay people* tagged on the end. In 14 more lines

*DO* is in the infinitive which introduces a sense of potential action:

15	uch relationships should be able to do so because, after all, Almighty God gave u	AWi 12.10.anti.txt
23	e business of encouraging people to do this or that. If I were to encourage people	CC 12.10.anti.txt
26	iatrists and doctors were unable to do anything to help her. My colleague spent	MS 12.10.anti.txt
29	to anybody, but they are nothing to do with the Bill. The fact that action has not	GH 12.10.anti.txt
30	ttable, and those who have failed to do so should be upbraided.	GH 12.10.anti.txt
35	t civil partnerships have nothing to do with marriage. I submit that that assertio	GH 12.10.anti.txt
36	ust pretend that this has nothing to do with marriage in order to perpetrate a dec	GH 12.10.anti.txt
39	t this Bill is the means by which to do so. Setting up an alternative to marriage	GH 12.10.anti.txt
40	f family life. We desperately need to do all we can to support and sustain marriag	GH 12.10.anti.txt
42	that view; it is not the right thing to do.	GH 12.10.anti.txt
44	hews and many others who want to do the same. Yet it is not so much that the p	EL 12.10.anti.txt
46	one possibility—it would allow us to do what the Government want to do with thi	EL 12.10.anti.txt
47	to do what the Government want to do with this Bill.	EL 12.10.anti.txt
49	t the Government seem to want it to do. We must be honest about these matters.	EL 12.10.anti.txt

Potential, negated and futile action are evident in verbs preceding the infinitive:

*able/unable/failed/need/want/allow*. Five of these lines occur in misleading statements. Gerald Howarth indirectly accused the Government of deceit:

She has repeated the Government line, which is shared by my hon. Friends, that civil partnerships have nothing to do with marriage. I submit that that assertion has all the credibility of the Iraq dossier. It is gay marriage in all but name. (c.239)

Here in the Chamber, we must pretend that this has nothing to do with marriage in order to perpetrate a deceit on the public, but in fact, not everyone in the Labour party is on message. I gather that in March, the Labour website ran a picture of the Bill covered in confetti to illustrate the similarity to marriage. (c.239)

In fact the Government was clear that the Bill's provisions were based on those for civil marriage. Edward Leigh misconstrued the Government's intention:

Whatever such a Bill might be called—the Sharing of Long-Term Domicile Bill is one possibility—it would allow us to do what the Government want to do with this Bill. (c.243)

We are not homophobes or anything like that, but we are saying that this Bill does not do what the Government seem to want it to do. We must be honest about these matters. (c.243)

His repeated use of *honest*—four in this argument, betrays its distorted basis; it also reinforces his contention that the Government were being dishonest. His denial of homophobia in the latter quote was one of five such denials:



I have no time for homophobia, which is prevalent in all societies, but I am not convinced that the Bill will actually advance our response to young folk who hold such attitudes.  
(Martin Smythe c.236)

These are decent people that I am talking about. They are not homophobes, bigots or any of the other epithets so readily thrown about. They are tolerant and generally neither inquire nor want to be told what other people **do** in the privacy of their own home.  
(Gerald Howarth c.238)

There is no room for middle ground in that statement: one either regards same-sex relationships as acceptable or one is homophobic.  
(Gerald Howarth c.239)

We are accused of many things—of being homophobes and the rest of it—but I believe that we have a point of view that we are perfectly entitled to express.  
(Edward Leigh c.242)

These denials further illustrate speakers' embattled position. In eight more lines, *DO* is preceded by a modal or semi-modal verb which adds to the provisionality:

4	ort gay marriage. Why will they not do so?	EL 12.10.anti.txt
8	as to answer—I am sure that he will do so elegantly, if not persuasively—is, is he	GH 12.10.anti.txt
15	uch relationships should be able to do so because, after all, Almighty God gave u	AWi 12.10.anti.txt
18	hat the Government would actually do.	CC 12.10.anti.txt
19	e continues: "This is what we shall do our best to achieve in the House of Comm	CC 12.10.anti.txt
20	uples who choose not to marry may do so for very personal reasons of conscience	CC 12.10.anti.txt
27	If we deal with equality, we should do so across the board.	MS 12.10.anti.txt
40	f family life. We desperately need to do all we can to support and sustain marriag	GH 12.10.anti.txt

Negativity and defensiveness pervade the lines for *DO* while their often personal and provisional nature suggest anti-CP resignation to defeat.

\* \* \*

Overall, the pro-CP keywords exude support for *SAME-SEX PARTNER* recognition comparable to, if distinct from, heterosexual marriage. By contrast the anti-CP keywords converge on arguments against the specific recognition of non-heterosexual partners in which the protection of heterosexual *MARRIAGE* is a euphemistic front for the preservation of heterosexual superiority. Ironically, the defensive anti-CP reciprocal collocation of *MARRIAGE* with *HOMOSEXUAL* and *gay* (Appendices 85 & 91) was fortuitous. As Morrish notes:

It is significant, perhaps, that ‘gay’ has now been awarded the status of collocate with ‘marriage’ to the extent that the latter term now requires the parallel modifier ‘heterosexual’. Surely, this must qualify as a successful intervention into a discourse that has historically been uniquely the provenance of heterosexuals?

(Morrish 2010: 332)

This implicates the anti-CP defence of heterosexual privilege in its erosion.

### Views of Sexuality

As in all previously analysed debates, supportive speakers used a wider range of sexuality terms. Pro-CP speakers used 24/26 terms of which *SAME-SEX* is a keyword. Anti-CP speakers used 16/26 terms of which *HOMOSEXUAL* and *HOMOPHOBES* are keywords. Adjectives were most frequently used overall:

Adjectives	Abstract Nouns	Nouns for People
<i>same-sex/ same sex</i>	<i>sexuality</i>	<i>gays</i>
<i>mixed-sex/ mixed sex</i>	<i>sexual orientation</i>	<i>lesbians</i>
<i>opposite-sex/ opposite sex</i>	<i>orientation</i>	<i>heterosexuals</i>
<i>gay</i>	<i>homosexuality</i>	<i>homosexuals</i>
<i>lesbian</i>	<i>homophobia</i>	<i>homophobes</i>
<i>bisexual</i>	<i>sex (in reference to gender)</i>	
<i>straight</i>	<i>sex (in reference to sexual acts)</i>	
<i>heterosexual</i>		
<i>homosexual</i>		
<i>sexual (excluding orientation)</i>		
<i>homophobic</i>		

The adjectives offer the most comprehensive insight into each side’s views and are therefore the main focus of analysis. The terms are analysed via their collocates (Appendices 89 & 91) and concordance lines (Appendices 90 & 92) in each lexical category in turn.

\*   \*   \*

The most used term was *SAME-SEX*, proportionately more so by pro-CP speakers along with other gender-focused terms:

ADJECTIVES	Total Uses	Pro-Civil Partnership Uses	Pro-CP % Debate Words	Anti-Civil Partnership Uses	Anti-CP % Debate Words
same-sex	107	<b>98/107(91.6%total)</b> 29/98 (29.6% uses)	78.5%	9/107 (8.4% total) 4/9 (44.4% uses)	21.5%
of the same sex	1		78.5%	<b>1/1 (100% total)</b>	21.5%
mixed-sex	7	<b>7/7 (100% total)</b> 3/7 (42.9% uses)	78.5%		21.5%
of mixed sex	1	<b>1/1 (100% total)</b> 1/1 (100% uses)	78.5%		21.5%
opposite-sex	8	6/8 (75% total) 1/6 (16.7% uses)	78.5%	<b>2/8 (25% total)</b> 1/2 (50% uses)	21.5%
of the opposite sex	1	<b>1/1 (100% total)</b>	78.5%		21.5%
gay	87	68/87 (78.2% total) 31/68 (45.6% uses)	78.5%	<b>19/87 (21.8% total)</b> 3/19 (15.8% uses)	21.5%
lesbian	23	<b>21/23 (91.3% total)</b> 9/21 (42.9% uses)	78.5%	2/23 (8.7% total) 1/2 (50% uses)	21.5%
bisexual	2	<b>2/2 (100% total)</b>	78.5%		21.5%
straight	1	<b>1/1 (100% total)</b>	78.5%		21.5%
heterosexual	24	18/24 (75% total) 3/18 (16.7% uses)	78.5%	<b>6/24 (25% total)</b> 3/6 (50% uses)	21.5%
homosexual	41	9/41 (22% total) 4/9 (44.4% uses)	78.5%	<b>32/41 (78% total)</b> 11/32 (% uses)	21.5%
sexual (excluding orientation)	9	6/9 (66.7% total) 4/6 (66.7% uses)	78.5%	<b>3/9 (33.3% total)</b>	21.5%
homophobic	8	<b>7/8 (87.5% total)</b> 6/7 (85.7% uses)	78.5%	1/8 (12.5% total)	21.5%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use  
**bold red text**: keywords

The pro-CP lines for *SAME-SEX* and the other gender-focused terms (Appendix 90) show the nouns they apply to are comparable in that all apply to nouns for or related to various kinds of partnerships:

SAME-SEX	<i>COUPLES</i> (65 lines)	<i>partnerships</i> (5 lines)	<i>marriages</i> (1 line)
	<i>relationships</i> (14 lines)	<i>couple</i> (4 lines)	<i>relationship</i> (1 line)
	<i>PARTNERS</i> (7 lines)	<i>and married couples</i> (1 line)	
mixed-sex	<i>couples</i> (5 lines)	<i>couple</i> (2 lines)	
of mixed sex	<i>civil marriages</i> (1 line)		
opposite-sex	<i>couples</i> (6 lines)		
of the opposite sex	<i>relationships between people</i> (1 line)		

*COUPLES* is the top collocate of *SAME-SEX*/*mixed-sex*/*opposite-sex* (Appendix 89), but *mixed-sex*/*opposite-sex* do not apply to *PARTNERS*. This concurs with the non-application of *heterosexual* to *PARTNERS* found in the previous section. Although *mixed-sex* and *opposite-sex* apply to few nouns, they occur in a similar range of arguments to those identified for *SAME-SEX* in the previous section:

mixed-sex	the relation of civil partnership to marriage (3 lines) the exclusion of heterosexual couples from civil partnership (3 lines) the Lords amendments (1 line)
of mixed sex	the relation between civil partnership and marriage (1 line)
opposite-sex	the relation of civil partnership to marriage (5 lines) unmarried couples lack of rights (1 line)
of the opposite sex	the Bill's symbolic value in challenging prejudice (1 line)

The last of these was one of eight statements upholding the Bill's symbolic value (see also Appendix 90A):

The Bill will reduce prejudice against such relationships and reduce homophobic violence. It will also reduce homophobia because it challenges the view that the social benefits of marriage, which I think are stability, faithfulness, the nurturing of children, mutual support and so on, can apply only to relationships between people of the opposite sex. That is important.  
(Robert Key c.207)

The lines for *mixed-sex/opposite-sex*, like those for *SAME-SEX*, occur in relatively straightforward statements of support for the Bill.

The pro-CP lines for *gay* (Appendix 90) show it applies to a wider range of nouns than the gender-aligned terms:

<i>couples</i> (16 lines)	<i>equality</i> (2 lines)	<i>individuals and couples</i> (1 line)
<i>people</i> (16 lines)	<i>relationships</i> (2 lines)	<i>Lawyers Association</i> (1 line)
<i>men</i> (3 lines)	<i>adoption</i> (1 line)	<i>love</i> (1 line)
<i>vote</i> (3 lines)	<i>agenda</i> (1 line)	<i>marriage</i> (1 line)
<i>men and women</i> (3 lines)	<i>Christians and ministers</i> (1 line)	<i>partners</i> (1 line)
<i>community</i> (2 lines)	<i>club</i> (1 line)	<i>policeman</i> (1 line)
<i>couple</i> (2 lines)	<i>Conservative Member</i> (1 line)	

*Gay* also occurs in a wider range of arguments. Only 26/68 lines occur in arguments prominent in the lines for *SAME-SEX*:

that (lesbian and) gay people/couples face difficulties and discrimination (13 lines)
that the Bill provides for/offers redress against such injustice (6 lines)
that gay couples/people live in committed/loving/meaningful/faithful relationships (5 lines)
that the Bill's pension provisions should be equalised with those for marriage (2 lines)

Seven lines focus on changing attitudes:

One of the facts about people's attitudes to **gay people** in the modern world is that essentially they are relaxed—utterly unexercised—about the phenomenon until the time when which they detect intolerance, at which point they become deeply and profoundly indignant.

(Alan Duncan cc.182-3)

**Gay couples** live together in committed relationships across the land and are accepted as couples by their friends and families.

(Alan Duncan c.184)

As an aside, I may say how pleased I am to see **gay and lesbian people** as part of the mainstream of our society and no longer having to skulk, as they did 30 or 40 years ago, in little establishments that the rest of us were not even supposed to think about.

(Jane Griffiths c.204)

It is good that the Bill proposes justice for **gay and lesbian people**. Is it not interesting, Madam Deputy Speaker, that 10 or 15 years ago those words would not have passed my lips? If we are honest, it is a measure of our own prejudice that I would not have spoken the words "**gay**" or "**lesbian**" then—certainly not in public.

(Robert Key c.206)

I have had the privilege of being a Member of the House for the past seven years, during which there has been a sea change in public attitudes to, and legislation affecting, **gay people**.

(David Borrow c.209)

... that trend was expressed in the recent Populace survey published in *The Times*, which showed, in contrast to some of the antediluvian attitudes that still prevail in this Chamber, that 75 per cent. of respondents aged between 18 and 30 said yes, of course **gay couples** should have exactly the same rights as heterosexual couples?

(John Bercow c.231)

#### Five lines occur in arguments supporting families and parenting:

Measures such as those before us today are a way of protecting the family in changed times, not of damaging it. As I have said, **gay couples** are a fact of life. Rather than ignoring their existence, perhaps the House can now take a positive stance on their position in society. I am sure that the issue of child care, which often causes strong feelings, will arise during the debate. [...] children are now raised in many different circumstances. What is most important is that love is given to the child and that there is stability in his or her home life. We had these debates at length two years ago during the passage of the Adoption and Children Act 2002, which legalised joint adoption by **gay couples**. [...] In many ways, that was a far more emotive issue than the one that we are discussing today. Having passed such measures into law, it makes even more sense now to approve civil partnerships. If we are concerned that children should be brought up by a stable, loving couple, these measures, when seen in conjunction with **gay adoption**, make a positive contribution to the family, rather than detract from it.

(Alan Duncan cc.187-8)

I have found it quite a struggle intellectually and emotionally to come to the view, for example, that **same-sex couples** can become parents. Opinion remains very divided within the **gay community**, let alone within the heterosexual community, about the merits or otherwise of in vitro fertilisation or embryo manipulation among **lesbian partners**, but it takes place. As more **lesbian and gay people** become parents, there is now a growing body of research from the United Kingdom, Australia, Canada and the United States that finds no measurable difference between the children of **lesbian mothers** in terms of gender identity, social or emotional disturbance, quality of friendships, social acceptance or sexual orientation. Those are the facts. I have faced them and I have talked to some **same-sex couples** in my constituency. I have concluded that I was as prejudiced about this as most people are, not because I was wicked or perverse or stupid but because that is the received wisdom of the society in which I was born and educated.

(Robert Key c.207)

While Alan Duncan had had reservations about *gay* couples adopting (he had abstained) and Robert Key overlooked informal sperm donation arrangements, these statements from Conservative speakers support *lesbian* and *gay* parenting. Robert Key's account also offered anti-CP MPs an example of changed thinking. Seven lines address the Conservative's anti-gay image:

I may be the first openly **gay Conservative Member**, but history will show that **gay men and women** have played leading roles in our party for many years, and I am pleased to say that many are among our candidates in winnable seats at the next election. So I do not accept that the Bill is in some way incompatible with conservatism.

(Alan Duncan c.188)

We on the Conservative Benches still have a great deal to prove. No member of the current shadow Cabinet voted on 10 February 2000 for equalisation of the age of consent. Only one member of the current shadow Cabinet—[Tim Yeo]—voted in March last year for the repeal of section 28. This is the third big policy challenge in the field of **gay equality** and we must not duck it. We must meet it, rise to it and do the decent thing, which happens also in the end to be the politically advantageous thing. We must support the Bill in its pure form.

(John Bercow c.220)

I do not believe that there is such a thing as a **gay vote**. I think that parties can drive away the **gay vote** just as they can drive away the women's vote, the elderly vote or the black vote—my party has tried to do it quite effectively over the years—but there is no single issue that it can be said will win over the **gay vote**. However, addressing issues such as those in the Bill will ensure that those who are **gay, lesbian or bisexual** can look at issues in the round and vote for the party that they believe in because it is advocating the right policies on health, education and the economy, rather than make their choice because they think that sexuality continues to divide the parties.

(Charles Hendry c.234)

These lines highlight Conservative modernisers' concern about their electability which indicates wider social change. Pro-CP Conservatives also spoke 9/11 lines against anti-CP claims and 5/6 lines in arguments against anti-*gay* prejudice in general. Of the latter, Alan Duncan and Tim Boswell were most explicit:

As a Conservative, I believe in encouraging committed long-term relationships that strengthen society. That is one of the best reasons that I can give for supporting the Bill. For too long there has been perpetuated a negative stereotype of *gay love* as less committed, less stable and less valid than that between heterosexuals. That has been at the root of much homophobia, and has been used by otherwise rational people to argue for the retention of discrimination. "I am not homophobic", they say, "but *gay people* are promiscuous and do not want long-term relationships." That argument is not only insulting but inconsistent. How can people argue, as the Christian Institute does, that the proposals "create a counterfeit moral standard that is imposed on all" while also claiming that there is no demand for them? If we refer to our personal experience, I suspect that most of us can see at once how wrong that contention is.  
(Alan Duncan c.190)

There remain entrenched—we have heard them today—overt and, perhaps more interesting, covert beliefs and habits that are hostile to *gay relationships*. Yet, and I say this as someone who has had 35 years in Christian marriage and has children and grandchildren—I celebrate that—I hope that I can recognise now the validity of the wish of my friends and the friends of my children who happen to be *gay* to enshrine their loving and faithful relationship in law.  
(Tim Boswell c.246)

Tim Boswell's reference to *covert beliefs and habits* further indicates that there was more to the anti-CP views than their observable arguments.

Of the Bill's non-Labour supporters, only Conservatives used *gay*: their 46/68 lines account for 67.6% of the uses from their 39.5% of the pro-CP words. Similarly, their 11/21 lines for *lesbian* account for 52.4% of the uses from 39.5% of the pro-CP words. Liberal Democrat, SNP and SDLP speakers did not use the terms. As well as marking a chasm in Conservative views, the terms illustrate a difference between Labour and Conservative approaches to supporting the Bill. Labour opted for caution with its deployment of *SAME-SEX* and highlighting of *responsibilities* as well as *rights*. Conservatives supported *lesbian* and *gay people* in arguments addressing homophobic beliefs and behaviour.

*Gay* is paired with *lesbian(s)* in 18/68 lines and applies to *men and women* in three. Where *gay* is used independently, it clearly refers to men in 3/47 lines. While lesbians are better represented in this debate than in those analysed in Chapters 7-9, as discussed in Chapter 8, the extent to which the reference of *gay* has become more inclusive or, as Murphy (1997) suggests, is more often used inclusively by heterosexuals, is here difficult to judge.

The nouns to which *lesbian* applies vary little from those for *gay*:

<i>people</i> (7 lines)	<i>partners</i> (2 lines)	<i>Lawyers Assoc.</i> (1 line)	<i>relationship</i> (1 line)
<i>couples</i> (3 lines)	<i>Christians &amp; ministers</i> (1 line)	<i>mothers</i> (1 line)	

Of the 21 lines (Appendix 90), 17 are paired with *gay* and occur in arguments already outlined. *Lesbian* is used independently in four lines. In one, Barbara Roche recalls a conversation with a friend at a wedding:

I turned to a friend who was sitting beside me at the ceremony and talked about that. She is in a long-standing **lesbian relationship**. We were all enjoying the lovely occasion, but she told me that the possibility of a commitment to her long-standing partner in which rights and responsibilities were exchanged was not open to her. That made a great impression on me, and I discussed it with my family and friends afterwards. I vowed that if I ever had the opportunity to do something about it, I would. (c.191)

The other independent uses concern parenting. Robert Key's lines for *lesbian partners/lesbian mothers* occur in his statement on parenting (quoted above with the lines for *gay*). Chris Bryant's line occurs in an outline of past inequalities:

Similarly, survivors have had no rights to a partner's pension. That has been a significant issue for many **lesbian couples**. Two women living together may have child care responsibilities. One of them may not work throughout her economically active life and reach retirement age without having acquired any pensionable service of her own. Bearing in mind the fact that many women are paid considerably less than men, the issue of poverty and rectifying injustice is important. (c.226)

The uses of *lesbian* and *gay* are more concerned with the lives of people than the uses of *SAME-SEX*, which relates to the need for and nature of the Bill.

The nouns to which *heterosexual* applies link it to marriage in 10/18 lines (Appendix 90), plus *married* and *marriage* are collocates (Appendix 89):



<i>marriage</i> (4 lines)	<i>couples</i> (2 lines)	<i>married man</i> (1 line)
<i>married couples</i> (3 lines)	<i>couple</i> (1 line)	<i>people</i> (1 line)
<i>community</i> (2 lines)	<i>married couple</i> (1 line)	<i>unmarried couple</i> (1 line)

This suggests pro-CP speakers took marriage less for granted as a *heterosexual* institution. Unlike previously analysed debates, in most lines *heterosexual* is used independently, but in its wider co-text it still functions as a comparator to differentiate the situation of non-heterosexuals. The main category of argument (8 lines) relates to inequality:

Will my right hon. Friend take another look at the Bill, because it will create an inequality of treatment between **same-sex couples** and **married heterosexual couples** in relation to survivor benefits under occupational pension schemes? Will she see whether she can iron out that manifest discrimination?

(Angela Eagle c.176)

The need for the Bill is obvious to anyone who has seen and felt some of the heart-rending injustices that can occur when a committed **gay couple** are denied the basic rights that a **married heterosexual couple** would take for granted.

(Alan Duncan c.183)

We welcome the fact that it grants equal access to state pension entitlements in what is a highly complex and technical set of provisions, but as the hon. Member for Orkney and Shetland (Mr. Carmichael) rightly identified, as drafted it treats **same-sex couples** and **married heterosexual couples** unequally in respect of survivors' pension benefits under occupational pension schemes.

(Angela Eagle c.200)

Does my hon. Friend agree that it would be odd if **someone like me**, who has been paying into a public sector pension fund for nearly 30 years, did not have the same rights as a **married heterosexual man**, and if they did not receive any discount in respect of the amount that they had been forced to pay throughout that period?

(David Borrow c.201)

A system of civil registration would allow **same-sex couples** to be treated in the same way as other couples. If people are not working, for whatever reason, the benefits they receive should not be affected by whether they are **gay or lesbian, or heterosexual**.

(Jane Griffiths c.205)

Surely the difference is that an **unmarried heterosexual couple** have the opportunity to rectify that problem by entering into a secular or **civil marriage**. That course of action is not available to **same-sex couples**.

(Alistair Carmichael c.212)

To correct that position is not, as some have suggested, to give extra rights to **same-sex couples**; it is simply to give them the same rights as **heterosexual married couples** who have made the same legally binding commitments to one another.

(Charles Hendry c.231)

... that trend was expressed in the recent Populace survey published in *The Times*, which showed, in contrast to some of the antediluvian attitudes that still prevail in this Chamber, that 75 per cent. of respondents aged between 18 and 30 said yes, of course **gay couples** should have exactly the same rights as **heterosexual couples**?

(John Bercow c.231)

In these lines marriage and heterosexuality are clearly upheld as the benchmark for equality; their status was beyond question. Four more lines challenge the claim that civil partnership undermined marriage:

The hon. Gentleman is making an excellent speech. Earlier, he read out a long list of countries that have **civil partnerships**, some of which have had them for years. Has his research revealed any shred of evidence that the existence of partnerships has in any way undermined **heterosexual marriage**?

(David Cairns c.186)

The fundamental premise being put forward by my right hon. Friend is that she wants to defend and protect **traditional heterosexual marriage**, and I think that all hon. Members agree with that. However, does she accept that **homosexual love** exists, as do permanent long-term **homosexual relationships**? Those relationships are of considerable value, even though they may be different. People who are **gay** are never going to enter into a **heterosexual marriage**, but does my right hon. Friend accept that their wish to be recognised as partners in no way competes with or undermines the **heterosexual marriage** that she wants to defend?

(Alan Duncan c.203)

Two lines occur in considerations of relationship quality:

Most of us know at least one **gay couple** who live together in a loving, committed relationship. Many of us also know of at least one **heterosexual couple** whose relationship may not be so healthy or committed.

(Alan Duncan c.190)

When people, be they **heterosexual or gay**, meet someone special, a relationship develops. One can be in love with a person, but that does not mean that one wants to share one's mortgage with them. When the point comes in a relationship when couples decide that they want to make a lifelong commitment, such a commitment should involve rights and responsibilities.

(David Borrow c.209)

One line occurs in Charles Hendry's catalogue of homophobic abuses gathered in his role as shadow Minister for young people:

I heard a young lad in Brighton describe how he was beaten up in the streets simply because he was out with his partner. He was not doing anything that anyone in the **heterosexual community** would find it difficult to do. He was beaten up merely because he was out with his partner. I heard from a young kid in Leeds who had suffered constant homophobic bullying in school. When he, as an individual, finally fought back he was the one who was excluded. That was abominable. He was the victim. Bullied children are always the victims and they need Members of this place to stand up for them. (c.232)

Yet strategies for reducing *heterosexual* dominance were not raised.

The pro-CP lines for *homosexual* (Appendix 90) are comparatively few and occur in more negative arguments. The term applies to:

<i>couples</i> (2 lines)	<i>acts</i> (1 line)	<i>marriage</i> (1 line)	<i>relations</i> (1 line)
<i>relationships</i> (2 lines)	<i>love</i> (1 line)	<i>people</i> (1 line)	

Besides the low frequency of *homosexual*, the lines show it was not the speakers' term of choice. Four lines occur in reports and the other five in responses to anti-CP speakers which echo the preferred anti-CP term:

Anne Widdecombe: Therefore, she is saying that the Bill is about **homosexual marriage**. It is about one person in a civil partnership being married to the other.

Angela Eagle: I was careful in my choice of phrase—I said that such people would be effectively married. Whether one believes that that is **homosexual marriage**, as the right hon. Lady clearly does, or that it is a parallel state, which recognises—rightly, in my view—the legal rights and responsibilities for people who live in caring same-sex relationships, is irrelevant. (c.200)

Alan Duncan was also responding to Ann Widdecombe (quoted above with the lines for *heterosexual*). Chris Bryant was responding to Ian Paisley:

Ian Paisley: The census of 2001 found only 288 same-sex couple households in the whole of Northern Ireland. The Government say that only 5 per cent. of same-sex couples will commit to civil partnerships. Well, 5 per cent. of 288 is 14, so 14 couples in Northern Ireland will have the opportunity provided by the Bill, even though a majority of people who have a view on the matter across the political and religious divide oppose it. Their voices were not heard or taken into account. The basis of family law in Northern Ireland is to be changed for the sake of 14 **homosexual couples**. (c.223)

Chris Bryant: I am delighted to be able to follow that speech, although perhaps we shall now have to refer to the hon. Member for North Antrim (Rev. Ian Paisley) as the orange juice man. I have to tell him that I suspect that there are rather more than 288 **homosexual couples** living together in Northern Ireland. I suspect that they are very reluctant to admit to the fact, owing to some of the bigotry that they have had to face in Northern Ireland over the years. (c.224)

In the last sentences of his speech, following a response to Gerald Howarth's fear that the Bill would result in proliferation of homosexuality, Chris Bryant gives *homosexual* a positive flourish:

In the end, the Bill is about recognising a simple fact of life. It is not about setting up a new lifestyle, as the hon. Member for Aldershot (Mr. Howarth) claimed. It is not about persuading people to be **gay or lesbian**. It is not about proliferating **homosexuality** because, in truth, **homosexuality** is not something that we can proliferate. It is not something that we can be persuaded into. It is not an illness that we can catch. It is not a cancer that we can have excised. For roughly one in 10 people in this land it is simply a fact of life that they have to come to terms with. Now, at last—thank God—the law will recognise the fact of **loving homosexual relationships**. The whole of the UK will come to terms with a world in which two men or two women can love one another and make a commitment to one another, for richer and for poorer. (c.230)

Whether this is a case of him adapting his language (van Dijk 2004: 350) to that of Gerald Howarth (the switch from *gay or lesbian* to *homosexual(ity)* supports this), or of him elevating *homosexual*'s clinical negativity to a "higher rank" (Voloshinov 1986: 105) is debatable (his addition of *for richer and for poorer* as in CoE marriage vows supports the latter). Either way, this defensive argument concurs with the Labour caution already identified.

\* \* \*

The anti-CP lines for *same-sex* and *opposite-sex* (Appendix 92) are few and apply to the following nouns:

same-sex	<i>couples</i> (4 lines) <i>relationships</i> (2 lines)	<i>couple households</i> (1 line) <i>partnership Bill</i> (1 line)	<i>partnerships</i> (1 line)
not of the same sex	<i>people</i> (1 line)		
opposite-sex	<i>unmarried couples</i> (1 line)	<i>marriages</i> (1 line)	

The lines occur in convoluted arguments. One occurs in Christopher Chope's

apparently disingenuous query over the Bill's title:

I have been wondering why the Bill is called the Civil Partnership Bill rather than the *same-sex partnership Bill*. I suspect that the amendment was passed in the House of Lords—I include myself among those who sympathise with the arguments made there—because people took the Bill at face value and thought that it was about giving new rights to people who are in partnership outside marriage. (c.211)

He then cast the Government's, and by implication Michael Howard's, rejection of the Lords amendments as a missed opportunity:

[Michael Howard's] letter states: "I therefore think it better to allow the Bill to be returned to its original form and fight vigorously for provisions to be included in a Finance Bill which would remedy the unfair disadvantages which affect them"—that is, people *not of the same sex* who are engaged in relationships outside marriage.

He continues: "This is what we shall do our best to achieve in the House of Commons during the passage of the next Finance Bill."

However, if we go along with the Government's arguments on rejecting the Lords amendments to the present Bill, we will have missed a great opportunity to get a fair deal for participants in long-term relationships outside marriage. (c.211)

*People not of the same-sex* could here refer to cohabiting relatives or heterosexual couples. The ambiguity enabled him to extend his discrimination argument to *opposite-sex unmarried couples* by means of an out-of-context quote from the JCHR report on the Bill:

Both of these considerations would call in to question the Government's reliance on 'choice' as the justification for not extending the scope of the Bill to *opposite-sex unmarried couples*."

I am sure that you, Madam Deputy Speaker, know people who have been widowed and who do not wish to enter into a new marriage because they feel that they have had their one and only marriage, but that does not stop them entering a long-term relationship. At present, such people are discriminated against by the legislation. (c.212)

He thus verged on an argument for the Bill's extension to heterosexual couples which, as David Borrow noted (c.212), was outside "traditional Conservative philosophy". Two lines occur in Ian Paisley's argument, based on the assumed accuracy of the 2001 census (quoted above), which implies the claimed *14 homosexual couples* were unimportant. Two more lines occur in Gerald Howarth's

attempt to separate a negative view of same-sex relationships from homophobia:

The plan to create civil partnerships was first announced in December 2002, when [Barbara Roche]—I am sorry that she is not in her place at the moment, although she spoke earlier—who was then Minister for Social Exclusion, indicated that legal change was intended to force cultural change. She said:

“It would send a powerful message about the acceptability of **same-sex relationships** and about the unacceptability of the homophobia still far too prevalent in our society.” There is no room for middle ground in that statement: one either regards **same-sex relationships** as acceptable or one is homophobic. (c.238-9)

The remaining lines occur in Angela Watkinson’s argument that the Bill was unfair, in which her use of *other* and *platonic* skew the reference of *same-sex couples* to include cohabitees who would not normally be seen as ‘a couple’:

First, the Bill is unfair. It purports to overcome inequality, but it introduces inequality where there was none before. It gives preference and advantages in law to **homosexual couples** over and above **other same-sex couples**, which is unjustifiable. (c.241)

She continued:

I cannot claim to have read every page of the Bill, which is rather a weighty tome, but I saw no reference to homosexuality in it. It refers simply to “**same-sex couples**”, so I am left wondering whether **platonic same-sex couples** are excluded.

[...]

Some **heterosexual opposite-sex marriages** are platonic and **two homosexual people** can live together and share a home even though they are not involved in a personal relationship with one another. There are other variations on the theme. (c.241)

Her final line occurs in a more direct statement of belief:

The Bill rests on the view that marriage and **same-sex partnerships** are equivalent or the same, but I do not believe that they are. (c.242)

These few uses of gendered terms marginalise *same-sex couples* without specific focus on sexuality. The anti-CP uses of *gay* are, unexpectedly, slightly more frequent than supportive speaker uses, while *HOMOSEXUAL* is a top anti-CP keyword (Appendix 83). Both serve to highlight sexuality.

The 19 lines for *gay* (Appendix 92) show it applies to few nouns:

<i>marriage</i> (10 lines)	<i>people</i> (5 lines)	<i>marriages</i> (2 lines)	<i>community</i> (1 line)
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Marriage is the top collocate (Appendix 91). *Gay* is paired with *lesbian* in one line. Two lines occur in Edward Leigh's attempts to gain admissions from Jacqui Smith and Alan Duncan that they supported *gay marriage*:

It would surely be much fairer to Members on both sides of House if the Government came clean and announced that they support *gay marriage*. Why will they not do so? (c.177)

Why will he not simply be honest and say that what we are creating is a form of *gay marriage*? (c.185)

This approach was modified when he intervened in Chris Bryant's speech:

The hon. Gentleman is arguing his point of view powerfully, but I am not sure that both sets of Front Benchers will welcome his remarks, because we were informed earlier that neither were in favour of *gay marriages* and that we were not considering a *gay marriage* Bill. However, the hon. Gentleman is eloquently arguing for exactly that, ... (c.228)

In fact Chris Bryant was arguing for the inclusion of religious readings and the use of religious buildings in both civil partnership and civil marriage ceremonies.

Gerald Howarth invoked the support of the public:

This is a highly controversial issue, and there are people outside who do not agree with civil partnerships. Furthermore, those people will be astonished that the Bill is being rammed through the House in the space of about 10 days. That is not the way to treat an issue of such major importance. Such people regard this Bill as *gay marriage* in all but name, and they simply think that that is wrong. They are our constituents, they are decent people— (c.238)

His use of *wrong* invokes a morality based on homophobic beliefs, while *decent* excludes the Bill's supporters and relegates them to indecency—which has a sexual connotation. He then argued the Government was deceiving the public:

The issue is the *nature of marriage*, no matter what the Deputy Minister for Women and Equality may say. She has repeated the Government line, which is shared by my hon. Friends, that civil partnerships have nothing to do with marriage. I submit that that assertion has all the credibility of the Iraq dossier. It is *gay marriage* in all but name. Ministers cited the case in Brighton, where what has been called a "pink wedding list" is apparently being drawn up. Weddings are ceremonies that are associated with marriage— (c.239)

At this point John Bercow interjected “So what?”. Gerald Howarth continued:

My hon. Friend says from a sedentary position, “So what?”, but the Government have asserted all along that civil partnerships are not *gay marriage*. I am sure that he fully accepts the concept of *gay marriage*, but the Government have said that this measure is completely different, although the Minister quoted with approval what was going on in Brighton. I shall not repeat the various clauses in the Bill that mirror exactly the provisions in relation to marriage, because we have discussed those at length. All the newspapers call this *gay marriage*. I rarely quote *The Guardian*, but I shall at least quote what it said on 30 June 2003:

“The tabloids may go wild over ‘*gay marriages*’ and New Labour will no doubt shrink timidly from the phrase. But in truth, it will be a legal marriage in all but name.”

Here in the Chamber, we must pretend that this has nothing to do with marriage in order to perpetrate a deceit on the public, but in fact, not everyone in the Labour party is on message. (c.239-240)

This was more than a ploy to discredit the Government. That the Bill’s provisions were based on those for civil marriage was no secret. His lines impart real angst about *gay* couple recognition. That he saw *the issue* as *the nature of marriage* suggests its required consummation underlay his angst. Angela Watkinson’s line raises a different issue. Here *gay* and *lesbian* appear to be awkward self-corrections:

I listened to the opening speeches and noticed that the Minister repeatedly used the term “homosexual”, so it is clear that the Bill’s provisions are intended for homosexuals, though I cannot remember whether the precise terms “*gay*” or “*lesbian*” were used. (c.241)

Her off-hand *I cannot remember* distances and suggests these were not terms she used. As the Minister used *homosexual* once in a quote, *gay* twice and *lesbian* not at all, the logic of this self-correction is unclear, but it suggests uncertainty about and irritation with the terms. Edward Leigh’s summary accounts for the remaining lines. One occurs in an incredulous denial that the Conservative party was turning away voters:

I must admit that I was surprised by the suggestion made by one of my hon. Friends in his closing remarks that the Conservative party as a whole was trying to turn away women, or people who are black or *gay*. Nothing is further from the truth. We are the party of all Britons. (c.242)



Two lines occur in his argument for discriminating in favour of marriage, which recontextualised (Wodak 2003: 138) discrimination against *gay people* by placing them with non-sexual categories:

Our existing law discriminates against *gay people* who wish to leave property to each other, but it also discriminates against sisters, uncles or nephews and many others who want to do the same. Yet it is not so much that the present law discriminates against those people as that it discriminates in favour of marriage. (c.242)

Over the centuries, Parliament has taken the view that we should discriminate in favour of marriage. We do not want to discriminate against anyone else—not sisters, brothers, uncles, nephews, stepsons or grandfathers, grandsons or *gay people*. We want to discriminate in favour of the building block that is marriage. (c.243)

He then returned to alleging Government dishonesty:

There is no doubt that there are people in this House who believe that *gay people* should be allowed to go through a form of marriage. If they love each other and have made a commitment to each other, why should *gay people* be denied something called marriage when the rest of us are allowed it? However, a person would have to be utterly credulous to believe that, by enabling people to register a civil partnership at a register office and by providing that a long-term relationship can be ended only after it has suffered irredeemable breakdown—in other words, by replicating what is contained in our ordinary marriage laws—we are not creating a form of *gay marriage*. (c.243)

He concluded with a scathing attack on the direction of *gay* equality reforms:

Why cannot we be honest about it? It will come and the next step will be for the *gay community* to insist—rightly, in their view—that *gay marriage* be recognised, that it should be an offence to attack homosexuality and that it should be taught in schools on equal terms. That is the agenda. Let us not be mealy-mouthed about it. (cc.243-4)

That only two anti-CP MPs spoke 18/19 lines for *gay* begs a question. The tone and content of their remarks suggests they were engaged in a subversion of *gay*'s more usual affirmative contexts. As Voloshinov argued:

In actual fact, each living ideological sign has two faces, like Janus. Any current curse word can become a word of praise, any current truth must inevitably sound to many other people as the greatest lie.  
(Voloshinov 1986 [1929]: 22)

These negative uses of *gay* thus reverse its majority use as a marker of support in earlier debates. A different issue arises from the independent use of *lesbian*:

The Minister describes a loving couple who have lived together for many years, sharing their house, their lives, their food. Do her arguments apply to the elderly sisters in my constituency who have lived together for 40 years and care for each other and love each other in a very real way as much as they do to **lesbian couples**?

(James Gray c.175)

The comparison of a *lesbian couple* to a relationship between *elderly sisters*, or sisters of any age, is clearly inappropriate. Both uses of *lesbian* are dismissive; the lines for *gay* are more aggressive in speakers' insinuations of Government dishonesty and claims of discrimination against non-sexual cohabitantes. The extent to which *gay* is inclusive of lesbians is debatable but, as it is the term inclusive of men, its disproportionate use and more aggressive tone suggests greater animosity towards gay men.

The lines for *HOMOSEXUAL* (Appendix 92) give a fuller picture of anti-CP polarisation. It applies to the following nouns:

<i>couples</i> (8 lines)	<i>individuals</i> (2 lines)	<i>arrangements</i> (1 line)	<i>household</i> (1 line)
<i>marriage</i> (6 lines)	<i>people</i> (2 lines)	<i>community</i> (1 line)	<i>love</i> (1 line)
<i>relationship</i> (4 lines)	<i>relationships</i> (2 lines)	<i>couple</i> (1 line)	<i>partnerships</i> (1 line)

The lines for *HOMOSEXUAL MARRIAGE* occur, as discussed in the previous section, in speakers' insinuations of Government dishonesty. The other lines occur in arguments against *homosexual couples/relationship(s)/partnerships* being treated as equal to heterosexual married couples. Five lines occur in relatively straightforward concerns about the proposed equality:

The Minister has several times used the word "equality". Will she be very specific? Is the equality that she seeks that whereby a **homosexual relationship** based on commitment is treated in future in exactly the same way as marriage in law?

(Ann Widdecombe cc.177-8)

I accept that there are some unkindnesses and "inequalities"—to use the buzzword, [...] —in the way people who have set up a **homosexual relationship** will be treated by comparison with those who have set up in a proper married state. People whose domestic arrangements and sharing and caring responsibilities place them outside marriage will also face similar unkindnesses and problems.

(Ann Widdecombe c.202)

My question is whether we should deal with some of the anomalies that exist in **homosexual relationships**, and other caring arrangements, by means of a Bill on civil partnerships which, of necessity, precludes any arrangements other than **homosexual partnerships**.

(Ann Widdecombe c.203)

At the same time, it will be an affront to Christians and other faith communities. It will also be an insult to all those who happily share their lives with relatives or friends outside marriage, because their relationships will be given institutional inferiority to **homosexual ones**.

(Christopher Chope c.213)

Does he understand that some of us have a deep-seated and genuine fear that setting up what my hon. Friend [Alan Duncan] called “a parallel institution” will send out the message to the people of this country that there are two equally valid lifestyles and that one can be in a **homosexual relationship** or a heterosexual—many of us would describe it as normal—relationship? That message will encourage the proliferation of homosexuality.

(Gerald Howarth c.217)

The heart of the argument was expounded in Belfast by a representative of the **homosexual community** who said that in his opinion there is a difference between marriage, which is a sacrament, and civil partnership. There are those of us who believe that marriage is not a sacrament but an ordinance of God, and we wonder whether the state can continue to try to replicate the pattern that God has ordained.

(Martin Smyth c.237)

We desperately need to do all we can to support and sustain marriage. I am opposed to the Bill because it sends out a false signal, particularly to young people, that somehow a **homosexual relationship** is an equally valid lifestyle.

(Gerald Howarth c.241)

While Anne Widdecombe’s *proper married state* and Gerald Howarth’s *normal relationship* reinforce the polarisation of homosexual-heterosexual relationships, Martin Smyth insinuated the Bill was blasphemous. The polarisation also lurks behind Anne Widdecombe’s and Christopher Chope’s extension of inequality to non-sexual cohabitants. Nine lines clearly exemplify the belief that *homosexual couples* were being awarded unfair, and by implication unwarranted, privileges:

I do not impute wrecking motives to those who voted in a certain way, because they were making a point, saying that the inequalities are not confined to **homosexual couples** so that if we are concerned about them in the one context, we should also be concerned in the other.

(Ann Widdecombe c.202)

If there are problems, such as being dispossessed of a home because of inheritance tax or tenancy arrangements, they should be dealt with separately and they should cover not just **homosexual arrangements** but others as well.

(Ann Widdecombe c.202)

The basis of family law in Northern Ireland is to be changed for the sake of 14 **homosexual couples**.

(Ian Paisley c.223)

According to the census, there are 330 times more house sharers in Northern Ireland than people living as **homosexual couples**. However, those house sharers will not have their burdens eased or lifted by the Bill.

(Ian Paisley c.223)

They [cohabiting relatives] wonder why **homosexual couples** should be treated favourably in this way, when the problems that they face have not been resolved.

(Gerald Howarth c.240)

Of course, certain of the difficulties that have been mentioned by Members from all parts of the House could be dealt with under existing law. For example, on inheriting tenancies, **homosexual couples** already have legal rights that other co-dependants do not.

(Gerald Howarth c.240)

First, the Bill is unfair. It purports to overcome inequality, but it introduces inequality where there was none before. It gives preference and advantages in law to **homosexual couples** over and above other same-sex couples, which is unjustifiable.

I listened to the opening speeches and noticed that the Minister repeatedly used the term "**homosexual**", so it is clear that the Bill's provisions are intended for homosexuals, though I cannot remember whether the precise terms "gay" or "lesbian" were used.

(Angela Watkinson c.241)

The impression was created that two women who have been lifelong friends living in the same home and sharing a life together would not be subject to the Bill's provisions. I hope that the Minister will clarify that point, because she gave the impression that the Bill would exclusively benefit **homosexual couples**.

(Angela Watkinson c.241)

Categorising *HOMOSEXUAL couples* with *house-sharers/cohabiting relatives/other co-dependents/friends* relegates the *couples* to non-sexual categories and thus constitutes non-recognition of *HOMOSEXUAL relationships*. The idea that heterosexual couples, via marriage and social acceptance, already had unfair advantages was apparently inconceivable. It was these advantages that speakers sought to protect. Similarly, Ann Widdecombe's references to *HOMOSEXUAL*

*individuals* and *HOMOSEXUAL love* relegate *HOMOSEXUAL relationships* to a 'legal but no more' status:

The fact is that the Government do not interfere in the exercise of the free choice of *homosexual individuals* to form *relationships*—sometimes very committed ones—or to set up domestic arrangements together, which may then prove to be of very considerable or permanent duration. There is nothing in our law—or, increasingly, in the attitudes of society, which have been a bigger barrier in the past—to prevent that. (cc.201-2)

Failing to pass the Bill will not stop, put any barrier in the way of, or make it illegal for two *homosexual individuals*—whether they be male or female—to set up a permanent *relationship*. If I thought that the law prevented that from happening, my attitude would be different, but it does not. The question before us is not whether we prevent that from happening, but whether we bless such arrangements with equivalent rights that have been wholly reserved for marriage in the past. (c.202)

I am usually in agreement with my hon. Friend, but perhaps not on this occasion. He says that *homosexual love* exists, and of course it does. As I said earlier—and I think that most Conservative Members will agree—it is inappropriate for Government to intervene in people's exercise of choice. (c.203)

This argument too identifies the legal recognition and hence official validation of *HOMOSEXUAL love* and *relationships* as the problem. Her lines present such 'arrangements' as an individual choice that was clearly not to be given official approval. Martin Smythe adopted a more metaphorical line of argument:

We are not equal. There are different issues, and one of the issues that we are debating is the fact that civil partnership is not merely civil partnership; it is giving recognition of something that some of us hold dear. I happen to be one of those—perhaps I am the only one in the House—who speaks having been put into the den of lions. A medical doctor and I had been invited to appear on the "Kelly" show in Belfast to deal with the question of homosexuality. We understood that two people on the panel would take the point of view of homosexuality, while the other two would take a different line. We thought that the audience would be a normal mixed audience, but it consisted completely of *homosexual people*. (c.235)

The biblical reference to *the den of lions* positions him as the 'good Christian' having survived in a dangerous place. His use of *deal with* casts *the question of homosexuality* as a problem, while his use of *normal* casts the *HOMOSEXUAL* audience as abnormal. Contrary to the repeated claims of Unionist peers and MPs, the anecdote does not suggest widespread opposition to the Bill in Northern

Ireland. The polarisation is furthered by Gerald Howarth's focus on families:

All the Office for National Statistics surveys illustrate that children brought up in a married household do better than those brought up in a cohabiting household, let alone in a **homosexual household**. The question that my hon. Friend has to answer—I am sure that he will do so elegantly, if not persuasively—is, is he not setting up yet another alternative lifestyle, which young people will consider equally valid, and will not the nuclear family be destroyed? (cc.186-7)

She [Barbara Roche] issued a consultation paper in June last year. In her foreword, she announced that thousands of **homosexual couples** are  
 “living in exactly the same way as any other family”.  
 Exactly the same way? That assertion is disputable. (c.239)

His use of *let alone* in the former denigrates *HOMOSEXUAL* parents, while his use of *elegantly, if not persuasively* to Alan Duncan casts surreptitious aspersion on his gayness. In citing Barbara Roche he became more sarcastic. As the line follows his defence of decent tolerant people who “neither inquire nor want to be told what other people do in the privacy of their own home” (c.238) his emphasis on *Exactly the same way?* alludes to sexual practices without attracting critical attention (Wodak 2007: 214). As well as being particularly hostile, it suggests an underlying preoccupation with sexual relationships. This preoccupation is also implied in Angela Watkinson's last lines:

In any case, who apart from the two involved can possibly know the nature of a personal relationship? Some heterosexual opposite-sex marriages are platonic and two **homosexual people** can live together and share a home even though they are not involved in a personal relationship with one another. (c.241)

Would two elderly ladies living together for most of their lives have to affect to be **homosexual** in order to gain the advantages in law as described in the Bill?  
 Would one of two sisters sharing a house over a long period incur inheritance tax when the other dies? Under the Bill, if a **homosexual couple** registered their partnership, even after a few months, one would inherit tax free if a partner died. That amounts to an injustice where there was none before. (c.242)

Her explicit upholding of non-sexual relationships suggests she saw partnership recognition as validation of same-sex sexual activity, while the idea that ‘worthy’ cohabiting ‘ladies’ would need to pretend to be ‘unworthy homosexuals’ to benefit

from the Bill further denigrates *HOMOSEXUAL couples*. The contexts in which *HOMOSEXUAL* occurs are more pointedly negative and polarising than those for *same-sex*, *gay*, or *lesbian*, while the “clues and traces” (Wodak 2003: 141) to a underlying concern with the validation of same-sex sexual relations illustrates the persistence of homophobic beliefs (Chapter 1).

That the anti-CP uses of *homosexual* outnumber those for *heterosexual* by over 5-1 is significant and shows the naturalised category was still largely taken for granted. The few lines for *heterosexual* (Appendix 92) apply to few nouns:

<i>couples</i> (3 lines)	<i>couple</i> (1 line)	<i>opposite-sex marriages</i> (1 line)	<i>relationship</i> (1 line)
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Four lines occur in arguments that the Bill discriminated against *heterosexual couple(s)*, of which Christopher Chope’s quotes suggest the term was outside his spontaneous repertoire—or non-appropriated (Bakhtin 1981: 293-4). Gerald Howarth’s line occurs in his anti-equality argument, while Angela Watkinson’s line occurs in her focus on platonic relationships (both quoted above with the lines for *HOMOSEXUAL*).

The remaining anti-CP adjective that warrants discussion is *sexual*. Christopher Chope’s two lines refer to *sexual infidelity* and further suggest an underlying preoccupation with the validation of same-sex sexual activity:

It seems that that is being done because the Government's mindset is that the Bill is about homosexual marriage. The only difference is that one of the grounds for breakdown leading to divorce in a proper marriage is **sexual infidelity** on the part of the other partner to the marriage. I have not seen any provision in the Bill that refers to **sexual infidelity** on the part of the other partner to a civil partnership as being a ground for “divorce”.  
I regret that I find this to be an extremely muddled Bill. (c.213)

Ann McKetchin pointed out (c.213), that he seemed “to have a muddled view of the legal definition of adultery, which does not apply to relationships between same-sex partners”. The remaining line occurs in Edward Leigh’s relegation of gay relationships to a *non-sexual* category:

The Government have tried to pull our heart strings on this matter. We have heard powerful stories about people called Chris or Rex, and about people who have been living together for 40 years who want to leave their property to each other but who cannot. We realise that that is unfair in the modern world. It is unfair that sisters who have lived together for many years in a **non-sexual relationship** should be placed in such difficulty and it is a problem that we must address. (c.243)

His use of *tried to pull our heart strings* shows he and other anti-CP MPs were unimpressed, while his use of *powerful stories about people called Chris or Rex* is dismissive of Alan Duncan's example of 76 year-old Rex, bereaved partner of Chris, and other real-life examples of difficulty caused by lack of partnership recognition. These anti-CP lines also further support an underlying concern about the official validation of same-sex sex (see also Appendix 92A). Arguably, these were the "covert beliefs" indicated by Tim Boswell (c.246) and were the basis of anti-CP speakers' resistance to the Bill, but they no longer constituted an argument that could be publicly made.

\* \* \*

Few abstract nouns were used in the debate. *Homosexuality* was the most used noun, proportionately more so by anti-CP speakers:

ABSTRACT NOUNS	Total Uses	Pro-Civil Partnership Uses	Pro-CP % Debate Words	Anti-Civil Partnership Uses	Anti-CP % Debate Words
homosexuality	15	10/15 (66.7% total) 5/10 (50% uses)	78.5%	5/15 (33.3% total) 3/5 (60% uses)	21.5%
sexuality	11	10/11 (91% total) 6/10 (60% uses)	78.5%	1/11 (9% total)	21.5%
sexual orientation	9	9/9 (100% total) 1/9 (11.1% uses)	78.5%		21.5%
orientation	1	1/1 (100% total)	78.5%		21.5%
homophobia	5	3/5 (60% total)	78.5%	2/5 (40% total) 1/2 (50% uses)	21.5%
sex (in reference to gender)	1	1/1 (100% total)	78.5%		21.5%
sex (in reference to sexual acts)	1	1/1 (100% total)	78.5%		21.5%

Key:      grey text shows the number and % of uses occurring in reports  
             red text: shows the proportionately higher frequency of use

Of the anti-CP lines for these nouns (Appendix 92), only the line for *sexuality* is not linked to the quotes discussed above. It occurs in Martin Smyth's convoluted statement on the Bill's relation to *homophobia*:



I have no time for **homophobia**, which is prevalent in all societies, but I am not convinced that the Bill will actually advance our response to young folk who hold such attitudes. Thankfully, many young people are beginning to react against the commercial side of **sexuality**, which is brainwashing our society.(c.236)

His interjection of *homophobia's* prevalence distances his disclaimer and is dismissive of homophobia as well as the Bill, while displacing the homophobia onto *young folk*. Given that Unionist Reverends like himself and Ian Paisley upheld homophobic beliefs, and that in context, the *commercial side of sexuality* could allude to lesbian and gay culture, the statement arguably supports *young people's* rejection of it. David Cairns warned him off:

The hon. Gentleman is sliding dangerously close to a view of **homosexuality** and young people from which I urge him to back off, because it will do his argument no good whatsoever. (c.236)

Given the rigidity of Unionist views, it is notable that Martin Smyth felt the need to disclaim homophobia at all. It indicates both its decreasing acceptability and increasing social pressure to not be seen as homophobic.

\*       \*       \*

The most used pro-CP terms were *sexuality* and *sexual orientation*. The lines (Appendix 90) show they have similar patterns of reference:

Reference of <i>sexuality</i> : lesbian/gay sexualities (linked to prejudice/discrimination: 8 lines) generalised/inclusive (linked to Christian documents/websites: 2 lines)
Reference of <i>sexual orientation</i> : lesbian/gay sexualities (linked to prejudice/discrimination: 6 lines) generalised/inclusive (linked to the children of lesbians: 1 line) heterosexuality (in an ironic comment: 1 line) unclear (in title of Employment Regulations: 1 line)
Reference of <i>orientation</i> : lesbian/gay sexualities (linked to prejudice: 1 line)

Of the lines for *sexuality*, 9/10 were spoken by Conservatives. They occur in accounts of young people's views, reports of homophobic abuse and an argument that supporting the Bill would help take *sexuality* out of politics. Of the lines for *sexual orientation* and *orientation*, only 2/9 were spoken by Conservatives. They occur in statements on entitlement to equal treatment, the Lords' amendments,

positive accounts of the Labour record on legal reforms and lesbian parenting, plus a report of the legal problems the CoE may face if civil partnership became law. Thus Conservatives were used the gay-friendly term.

Significantly, ‘heterosexuality’ was not used by either side, which supports a continued taken-for-grantedness of its ‘natural’ status.

\* \* \*

Very few nouns for people were used in the debate. *Gays* and *lesbians* were most used, proportionately more so by pro-CP speakers:

NOUNS FOR PEOPLE	Total Uses	Pro-Civil Partnership Uses	Pro-CP % Debate Words	Anti-Civil Partnership Uses	Anti-CP % Debate Words
gays	6	5/6 (83.3% total) 2/5 (40% uses)	78.5%	1/6 (16.7% total)	21.5%
lesbians	6	5/6 (83.3% total) 1/5 (20% uses)	78.5%	1/6 (16.7% total)	21.5%
heterosexuals	3	3/3 (100% total) 1/3 (33.3% uses)	78.5%		21.5%
homosexuals	5	2/5 (40% total) 2/2 (100% uses)	78.5%	3/5 (60% total) 1/3 (66.7% uses)	21.5%
homophobes	3		78.5%	<b>3/3 (100% total)</b> 1/3 (66.7% uses)	21.5%

Key: grey text shows the number and % of uses occurring in reports  
red text: shows the proportionately higher frequency of use  
**bold red text**: keywords

All pro-CP lines for *lesbians* (Appendix 90) are paired with *gays* or *gay men*, but only 3/5 lines for *gays* are paired, though *lesbians* are better represented than in the adjectival forms. All lines occur in supportive contexts, 9/10 in pro-equality or anti-discrimination arguments. The uses of *heterosexuals* are also notable in that their status is less taken for granted but, as all occur in equality arguments, they function as comparators without independently consideration.

The anti-CP lines for *homosexuals* (Appendix 92) occur in the same range of arguments as *homosexual*, but *HOMOPHOBES* is a keyword used in denials:

These are decent people that I am talking about. They are not **homophobes**, bigots or any of the other epithets so readily thrown about.  
(Gerald Howarth c.238)

We are accused of many things—of being **homophobes** and the rest of it—but I believe that we have a point of view that we are perfectly entitled to express.  
(Edward Leigh c.242)

We are not **homophobes** or anything like that, but we are saying that this Bill does not do what the Government seem to want it to do.

(Edward Leigh c.243)

That the term is not derived from a heterosexual perspective raises questions about its use. The denials were not in response to specific interventions or comments. This suggests the term alluded to lesbian and gay criticisms of the views to which the speakers felt they and others were entitled and that they were attempting to present it as an example of abuse. Whatever their definition of homophobia may have been, the views they contributed to the debate were clearly in line with the heritage of homophobic beliefs (Chapter 1). This in turn further illustrates the extent to which views that were once taken for granted now had to be defended.

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The sexuality terms in this debate illustrate deep and shifting divisions. They suggest that as homophobic beliefs became less taken for granted and more widely challenged, the viewpoint of speakers adhering to them was becoming hardened and entrenched.

### **Associations and Implications**

Three themes emerging from the debate merit further discussion. First, is the anti-CP deployment of marriage as a means to oppose the Bill. Second, is the shifting connotations and frequencies of lesbian, gay, and homosexual alongside the relative stability in uses of heterosexual. Third, is the pro-CP linking of legal reform to reducing prejudice.

While the Bill's basis in civil-marriage law facilitated the anti-CP focus on marriage, this does not explain their deployment of it. As in the Adoption debates (Chapter 8), marriage became a metaphor for the protection of heterosexual

status and privilege and a euphemism for homophobic polarisations. Marriage was awarded a hallowed status:

—the holiest state of matrimony. (CC c.213)  
 ... the divine sanctity of marriage. (IP c.223)  
 ... that marriage is a solemn and holy thing. (IP c.223)  
 ... marriage is not a sacrament but an ordinance of God, ... (MS c.237)

Its heterosexuality was claimed:

.... in a proper marriage ... (CC c.213)  
 ... deeply held convictions of so many people about the nature of marriage ... (GH c.239)  
 The issue is the nature of marriage, ... (GH c.239)  
 ... marriage is about a permanent union between a man and wife, ... (EL c.242)  
 ... contained in our ordinary marriage laws— (EL c.243)

Same-sex couples were excluded from its definition:

... rights that have been wholly reserved for marriage in the past. (AWi c.202)  
 ... extend to another group a property that has always been unique to marriage (AWi c.203)  
 ... will be translated into law, that marriage is no longer unique. (AWi c.203)  
 ... but not through aping marriage. (AWi 204)  
 ... one particular type of relationship outside marriage on a pedestal, ... (CC c.213)  
 Setting up an alternative to marriage—or a parallel to it ... (GH c.240)  
 ... a pseudo-marriage, ... (AWa c.242)  
 ... a form of marriage. (EL c.243)

It was in need of protection:

... will undermine the uniqueness of marriage, ... (AWi c.201 & c.204)  
 ... to defend the institution of marriage, ... (AWi c.201)  
 I want to keep it unique, ... (AWi c.203)  
 ... we want to keep marriage unique ... (AWi c.203)  
 ... undermine the institution of marriage— (CC c.213)  
 ... need to do all we can to support and sustain marriage ... (GH c.241)

As Voloshinov (1986: 106) argued, a word's contextual meaning is “always associated with the generation of the evaluative purview of a particular social group”. The anti-CP view suggests marriage offered protection on three counts. First, the claiming of marriage as a heterosexual institution was accompanied by dismissive and derisory comments on ‘homosexual’ relationships which expose its basis in homophobic beliefs. Second, the protection of heterosexuality rests

on the protection of gender boundaries. As Weeks argues:

A key element of the gender order is institutionalised heterosexuality, which structures and embodies relations between men and women, and defines culturally distinct masculinities and femininities.

(Weeks 2011: 70)

Third, the protection of gender boundaries also protects heterosexual sex. That via the passage of religious and legal imposition, marriage became the only social arrangement within which sex was not only allowed but obligatory, adds another dimension to anti-CP resistance. Weeks again:

Yet at the same time as politicians, religious leaders, moralists and journalists lament the collapse of this key social institution, the very same people are often in the vanguard of the opposition to same-sex marriage, which in the early twenty-first century has become the single most important issue for LGBT activists, amongst whom clearly the demand for marriage is not in decline but very much on the rise. This underscores that ultimately what moral conservatives fear above all is less the decline of marriage as such as the threat to marriage as the cornerstone of heterosexual normality.

(Weeks 2011: 108)

The anti-CP speechmakers were all moral conservatives. Four belonged to the Cornerstone Group whose motto is 'Faith, Flag and Family'. One was a devout Catholic convert. Two were Unionists and Presbyterian Ministers.

The debate also marks a change in uses of *lesbian* and *gay*. In the Clause 28 debate (Chapter 5) the terms were positive markers of familiarity and support, while the few pro-Clause uses occurred in reports. In this debate, the anti-CP uses of *gay* were spontaneous and proportionately more frequent, but negative. On changes in meaning Voloshinov argued:

A change in meaning is, essentially, always a *reevaluation*: the transposition of some particular word from one evaluative context to another. A word is either advanced to a higher rank or demoted to a lower one. The separation of word meaning from evaluation inevitably deprives meaning of its place in the living social process.

(Voloshinov 1986 [1929]: 105)

Chart 1 summarises shifts in the frequencies and reported use of *lesbian(s)* and *gay(s)* in Chapters 5-10:

Chart 1

Chapters	Debates	% debate words	LESBIAN lines (% total)	LESBIANS lines (%total)	GAY lines (% total)	GAYS lines (% total)
Ch.5	anti-Clause	72.5%	15 (71.4%) R26.7%	13 (86.7%) R38.5%	<b>58 (87.9%)</b> R49.2%	<b>2 (100%)</b> R100%
	pro-Clause	27.5%	6 (28.6%) R100%	2 (13.3%) R100%	8 (12.1%) R100%	0
Ch.6	pro-equalisation	68.6%	1 (100%)	1 (33.3%) R100%	<b>44(88%)</b> R13.6%	0
	anti-equalisation	31.4%	0	2 (66.7%) R100%	6 (12%) R83.3%	0
Ch.7	pro-repeal	57.1%	1 (50%) R100%	5 (83.3%) R20%	<b>13 (100%)</b> R76.9%	<b>7 (100%)</b> R57.1%
	anti-repeal	42.9%	1 (50%) R100%	1 (16.7%)	0	0
Ch.8	pro-reform	70.3%	3 (75%)	3 (100%) R66.7%	24 (80%) R41.7%	1 (100%)
	anti-reform	29.7%	1 (25%) R100%	0	6 (20%) R50%	0
Ch.9	pro-withdrawal	56%	5 (62.5%)	0	20 (83.3%)	1 (100%)
	anti-withdrawal	44%	3 (37.5%)	0	4 (16.7%)	0
Ch.10	pro-CP	78.5%	21 (91.3%) R45.6%	5 (83.3%)	68 (78.1%) R45.6%	5 (83.3%) R40%
	anti-CP	21.5%	2 (8.7%) R50%	1 (16.7%)	19 (21.9%) R15.8%	1 (16.7%)

key: **red text**: proportionately more frequent use by supportive speakers (keywords in **bold**)  
**blue text**: proportionately more frequent use by unsupportive speakers  
grey text - R%: % of terms used in quotes or reports

Although the debates were discrete in purpose, context and speaker mix, this suggests that wider adoption of *lesbian(s)* and *gay(s)* in the general population has resulted in their increased use by people who harbour negative beliefs about lesbian and gay relationships. Voloshinov again:

The meaning of a word is determined entirely by its context. In fact there are as many meanings of a word as there are contexts of its usage.  
(Voloshinov 1986 [1929]: 79)

He continued:

The classical instance of such contrasting contexts of usage for one and the same word is found in dialogue. In the alternating lines of a dialogue, the same word may figure in two mutually clashing contexts. Of course, dialogue is only the most graphic and obvious instance of varidirectional contexts. Actually, any real utterance, in one way or another or to one degree or another, makes a statement of agreement with or a negation of something. Contexts do not stand side by side in a row, as if unaware of one another, but are in a state of constant tension, or incessant interaction and conflict.  
(Voloshinov 1986 [1929]: 80)

And as Bakhtin later elaborated:

Each word tastes of the context and contexts in which it has lived in its socially charged life; all words and forms are populated by intentions.  
(Bakhtin 1981 [1935]: 293)

Given the positive contexts within which *lesbian* and *gay* were 'socially charged' in the 1980s, their subversion is a measure of homophobic resistance to change.

Chart 2 shows shifts in the frequencies and reported use of the clinical terms:

Chart 2

Chapters	Debates	% debate words	HOMOSEXUAL lines (% total)	HOMOSEXUALS lines (% total)	HOMOSEXUALITY lines (% total)
Ch.5	anti-Clause	72.5%	22 (71%) R22.7%	17 (60.7%) R52.9%	54 (64.3%) R42.6%
	pro-Clause	27.5%	9 (29%) R88.9%	11 (39.3%) R45.5%	30 (35.7%) R30%
Ch.6	pro-equalisation	68.6%	39 (60%) R32.5%	19 (79.2%) R21.1%	9 (50%) R10%
	anti-equalisation	31.4%	26 (40%) R20.8%	5 (20.8%) R40%	9 (50%) R12.5%
Ch.7	pro-repeal	57.1%	14 (50%) R50%	15 (39.5%) R26.7%	8 (30.8%) R75%
	anti-repeal	42.9%	14 (50%) R66.7%	23 (60.5) R43.5%	18 (69.2%) R57.9%
Ch.8	pro-reform	70.3%	3 (23.7%) R33.4%	3 (60%) R33.4%	5 (100%) R20%
	anti-reform	29.7%	10 (76.9%) R40%	2 (40%)	0
Ch.9	pro-withdrawal	56%	0	2 (100%) R50%	2 (40%) R100%
	anti-withdrawal	44%	3 (100%)	0	3 (60%)
Ch.10	pro-CP	78.5%	9 (22%) R44.5%	2 (40%) R100%	10 (66.7%) R50%
	anti-CP	21.5%	32 (78%) R34.4%	3 (60%) R33.4%	5 (33.3%) R60%

key: blue text: proportionately more frequent use by unsupportive speakers (keywords in **bold**)  
red text: proportionately more frequent use by supportive speakers  
grey text - R%: % of terms used in quotes or reports

The greater use of clinical terms by unsupportive speakers is not the only factor. Supportive speakers used the terms in defensive contexts and their use generally decreased over time. Bakhtin's (1981: 270-2) centrifugal and centripetal forces apply here. In the 1980s, the centrifugal forces of lesbian and gay politics were bubbling up from below against the centripetal forces of Cold War manoeuvring in which moral conservatism was a ready-made weapon. By 2004, the number of supportive speakers had increased considerably and moral conservatism was on the defensive. Yet, the continuing sparse use of *heterosexual(s)*, the rare use of *straight(s)*, plus the frequent non-use of *heterosexuality* suggests its naturalised status remained largely taken for granted. Chart 3 shows its frequencies:

Chart 3

Chapters	Debates	% debate words	HETEROSEXUAL STRAIGHT lines (% total)	HETEROSEXUALS STRAIGHTS lines (% total)	HETEROSEXUALITY lines (% total)
Ch.5	anti-Clause	72.5%	5+0=5 (55.6%)	3+0=3 (100%)	1 (100%)
	pro-Clause	27.5%	4+0=4 (44.4%)	0	0
Ch.6	pro-equalisation	68.6%	21+2=23 (76.7%)	4+0=4 (66.7%)	1 (33.3%)
	anti-equalisation	31.4%	7+0=7 (23.3%)	3+0=3 (33.3%)	2 (66.7%)
Ch.7	pro-repeal	57.1%	8+0=8 (80%)	0+1=1 (100%)	1 (100%)
	anti-repeal	42.9%	2+0=2 (20%)	0	0
Ch.8	pro-reform	70.3%	7+0=7 (50%)	1+0=1 (100%)	0
	anti-reform	29.7%	7+0=7 (50%)	0	0
Ch.9	pro-withdrawal	56%	1+2=3 (50%)	1+0=1 (50%)	0
	anti-withdrawal	44%	3 (50%)	1+0=1 (50%)	0
Ch.10	pro-CP	78.5%	18+1=19 (76%)	3+0=3 (100%)	0
	anti-CP	21.5%	6+0=6 (24%)	0	0

key: red text: proportionately more frequent use by supportive speakers  
blue text: proportionately more frequent use by unsupportive speakers

The lower frequencies of these terms suggests that increased support for lesbian and gay equality had little impact on the status of heterosexuality and its coveted gender boundaries. The terms were most used as comparators which positions heterosexuality as the benchmark for equality. While, as Voloshinov (1986: 19) noted, “the word is the most sensitive indicator of social changes”, it is also an indicator of lack of change.

The pro-CP view that legal reform reduces prejudice permeated the debate (Appendix 90A). This view is also widely held among lesbians and gay men (see Harding 2006) and underpinned Stonewall’s original agenda for equality before the law. It is also implicit in the anti-CP fears of ‘homosexual proliferation’. This raises the question of where change comes from. Weeks takes a broad view:

The rise of same-sex marriage as an issue signals two important, intertwined changes: shifting priorities within the LGBT world itself, and changes within national cultures that were clearly liberalizing their attitudes and laws.  
(Weeks 2011: 168)

Without existing social change among lesbians and gay men and wider support for that change, pressure for legal reforms within and between countries would be unlikely. The civil partnership debate suggests a minoritising and hardening of opposition to legal reforms. Chart 4 suggests this pattern:

Chart 4

Chapters	Debates	% debate words	HOMOPHOBIC BIGOTED PREJUDICED lines (% total)	HOMOPHOBIA BIGOTRY PREJUDICE(S) lines (% total)	HOMOPHOBES BIGOTS lines (% total)
Ch.5	anti-Clause	72.5%	<b>6 (100%)</b>	<b>13 (100%)</b>	<b>1 (100%)</b>
	pro-Clause	27.5%	0	0	0
Ch.6	pro-equalisation	68.6%	<b>2 (100%)</b>	<b>21 (95.5%) (PREJUDICES)</b>	0
	anti-equalisation	31.4%	0	<b>1 (4.5%)</b>	0
Ch.7	pro-repeal	57.1%	<b>4 (50%)</b>	<b>21 (80.7%)</b>	0
	anti-repeal	42.9%	<b>4 (50%)</b>	<b>5 (19.2%)</b>	<b>1 (100%)</b>
Ch.8	pro-reform	70.3%	<b>2 (66.7%)</b>	<b>8 (100%)</b>	0
	anti-reform	29.7%	<b>1 (33.3%)</b>	0	0
Ch.9	pro-withdrawal	56%	0	<b>6 (60%)</b>	0
	anti-withdrawal	44%	<b>2 (100%)</b>	<b>4 (40%)</b>	0
Ch.10	pro-CP	78.5%	<b>4 (66.7%)</b>	<b>15 (93.75%)</b>	0
	anti-CP	21.5%	<b>2 (33.3%)</b>	<b>1 (6.25%)</b>	<b>3 (100%) (HOMOPHOBES)</b>

key: **red text:** uses of the terms in contexts supporting lesbians and gay men  
**blue text:** uses of the terms in contexts defending unsupportive positions  
**bold:** proportionately greater use  
 (TERM in brackets): keyword



Unsupportive speakers' lesser use of these terms in earlier debates indicates the taken-for-granted status of their view, while their greater uses in later debates concurs with a need to deny or disclaim prejudice as it became less publically acceptable. In the case of supportive speakers, their greater use of abstract nouns concurs with an indirect highlighting of the prejudice behind opposition to reform. (See Appendix 93 for each term's frequencies.) That the legal reforms responded to existing social change is not to say they were not needed, they most certainly were, but the contribution they are making to eroding homophobic beliefs and dislodging the privileged status of heterosexuality across the spectrum of social life has yet to be evaluated.

### **Conclusion**

This chapter clearly illustrates how heterosexuality set the benchmark for 'equality' which in turn illustrates its institutional power. A proposal to abolish marriage would not have been given parliamentary time. The political context shows civil partnership was not a Government initiative. It was preceded by two Private Member's Bills and only when Lord Lester's Bill passed its second reading in the Lords did the Government intervene and take control. Heterosexuals were excluded from the Government Bill and marriage ring-fenced as a heterosexual institution. Whether this was for political, financial or ideological reasons is unclear, but it introduced inequalities of recognition and provision while placing lesbian and gay relationships within the framework of heterosexual marriage. As such it illustrates the fine line between social inclusion and social control. Even so, the sustained opposition to the Bill in the right-wing press and the wrecking amendments passed in the Lords, show the virulence with which lesbian and gay partnership recognition was opposed. The research reviewed analyses the legal provisions of civil partnership and aspects of its wider socio-political importance,

but with no analysis of its parliamentary passage or specific debates.

The debate analysed shows there was widespread cross-party support for the original Bill in the Commons. Only a minority of ‘die-hard’ Conservatives and Unionists opposed it and used the Lords’ wrecking amendments as a means to devalue lesbian and gay relationships. The Words and Themes section reveals stark divisions between the two sides. On Flowchart 11, the pro-CP keywords *SAME-SEX*, *PARTNERS*, *RIGHTS* and *COUPLES* are pivotal. While *SAME-SEX* and *COUPLES* link to the strong support for the Bill in its original form, *PARTNERS* and *RIGHTS* link to the Bill’s provisions. On Flowchart 12, the anti-CP keyword *MARRIAGE* is pivotal and was used for a range of negative purposes: to allege Government dishonesty, to protect heterosexuality, to polarise *HOMOSEXUAL* and *heterosexual* relationships, to uphold non-sexual cohabiting relationships and invalidate recognition of same-sex sexual relationships. Uses of the keyword *DO* reveal the weakness of anti-CP speakers’ stance. In the Views of Sexuality section, the contrasts are multiple. As in Chapter 8, Labour deployment of the gender-aligned *SAME-SEX* shifts the focus away from sexuality identifiers and constitutes another example of Government caution. By contrast, Conservative supporters of the Bill used both *gay* and *lesbian* more often and in a wider range of arguments. *Lesbian(s)* were better represented in this debate than the debates analysed in Chapters 7-9, but the terms were still mostly paired with *gay(s)* by pro-CP speakers and little used by anti-CP speakers. As in earlier debates, the lack of independent consideration given to *lesbian(s)* shifts the underlying focus towards non-heterosexual men. The scarce pro-CP use of the clinical *homosexual* follows a decline in its use by supportive speakers over the debates analysed. Conversely, its position as a top anti-CP keyword and suggests *HOMOSEXUAL* was becoming confined to a minority of virulently antipathetic speakers. Their emphasis on the non-sexual relationships of other categories of cohabitants plus negative allusions to non-heterosexual sex, point to an underlying concern with

its validation via partnership recognition. This locates their stance firmly within the heritage of homophobic beliefs (Chapter 1). In contrast to previous debates, the uses of *heterosexual* were mostly independent on both sides, but the term still functioned primarily as a comparator leaving the ring-fenced institution of heterosexuality without independent investigation.

The charts in the Associations and Implications section suggest a trend: that as homophobic beliefs became less taken for granted and more widely challenged, the views of the dwindling number of speakers adhering to them became hardened. This is further investigated in Chapter 11 which takes a decontextualised approach to the legislative changes and examines the debates within much larger corpora of key debates in the two periods under study.

# Chapter 11

## Continuity and Change

This chapter offers an overview of the language used and its associations in the two periods under study (1986-1996 and 2001-2004) by speakers who supported lesbians and gay men and those who did not. Its focus is broader than that in Chapters 5-10 which enables collective shifts and continuities in views of sexuality to be identified over time. The corpora analysed here were built from the 28 debates, 14 in each period, with above-average frequencies of the search-terms (Chapter 2; Appendices 2 & 3). Approximately two-thirds of the debates in each period were held in the Lords. In addition, half the debates in period one occurred during the passage of Clause 28 and half those in period two during the passage of the Civil Partnership Bill. These were the most hard-fought issues. Each debate was divided into speakers supporting or contesting the legislative proposal in question and the resulting texts assigned to four basic corpora: one each for and against lesbians and gay men in each period. Apart from a coding of each text's origins (shown in the concordance lines), the data is decontextualised. The corpora enable four dimensions of comparison:

- 1      PLG1: Speakers against Clause 28 and for reforms 1986-96 (148,347 words, 57% total)  
        ALG1: Speakers for Clause 28 and against reforms 1986-96 (111,811 words, 43% total)
- 2      PLG2: Speakers supporting reforms 2001-2004 (267,525 words, 65% total)  
        ALG2: Speakers against reforms 2001-2004 (144,523 words, 35% total)
- 3      PLG1+2: Speakers supporting lesbians and gay men overall (415,872 words, 62% total)  
        ALG1+2: Speakers against lesbians and gay men overall (256,334 words, 38% total)
- 4      LG1: All speakers in the first period (260,158 words, 39% total)  
        LG2: All speakers in the second period (412,048 words, 61% total)

An initial frequency check of all terms related to sexuality in each corpus shows how they vary (Appendix 94). While *lesbian/gay/lesbians/gays/heterosexual/heterosexuals/sexuality/sex* were consistently more used by PLG speakers, the clinical terms *homosexual/homosexuals/homosexuality* were significantly more used by ALG speakers. There are also marked differences between the periods. In LG1, *homosexuality/homosexual/homosexuals/sexual/sexuality/heterosexuality* are keywords with  $p < 0.0000000000$ . In LG2, *sex* (mostly used in *same-sex*) is a keyword with this p-value and marks a shift from sexuality identifiers to gender-aligned terms. These observations are examined in four sections which analyse each comparison in turn. The comparisons are based on the keyword lists for each corpus and the collocates of 15 pivotal terms:

<i>lesbian</i>	<i>gays</i>	<i>homosexuality</i>	<i>heterosexuality</i>	<i>sexual</i>
<i>lesbians</i>	<i>homosexual</i>	<i>heterosexual</i>	<i>sexuality</i>	<i>sex</i>
<i>gay</i>	<i>homosexuals</i>	<i>heterosexuals</i>	<i>sexual orientation</i>	<i>same-sex/ same sex</i>

As an added triangulation, to cross-check the analyses and strengthen the validity of the conclusions (Taylor 2001b: 322; Baker *et al* 2008: 295-6), the comparisons are approached differently. Comparisons 1 and 2 start from the keyword and collocate themes. Comparisons 3 and 4 start from the sexuality terms in their lexical categories: adjectives, nouns for people and abstract nouns. The comparisons are mainly descriptive with only brief commentary; salient features are discussed in the final section.

### **PLG1 and ALG1**

In Comparison 1, the comparatively few PLG1 keywords (Appendix 95), place the speakers' vocabulary range more within the mainstream of the debates. The longer ALG1 keyword list (Appendix 96) shows speakers used a wider range of less-shared words. Notably, there are no ALG1 sexuality-term keywords, while

*GAY* and *SEXUALITY* are PLG1 keywords. This suggests PLG1 speakers were more familiar with sexuality issues and more confident in talking about them.

Among the keywords collocating with the 15 sexuality terms (Appendices 97-111 for PLG1 and 112-126 for ALG1) one in each corpus collocates widely. In PLG1, *PEOPLE* collocates with 12/15 terms (Appendix 127). The L1 (one place to the left) collocates of *PEOPLE* (Appendix 128) identify its referents:

<i>YOUNG PEOPLE</i> (98 uses)	<i>GAY PEOPLE</i> (14 uses)	<i>6 million [gay] PEOPLE</i> (3 uses)
<i>homosexual PEOPLE</i> (19 uses)	<i>lesbian PEOPLE</i> (10 uses: 9 paired with gay/1 with homosexual)	

Some L1 uses of *many/some/those/other/such/ordinary/these* also refer to *GAY PEOPLE* (Appendix 129). This suggests PLG1 speakers focused on the *PEOPLE* affected by the legislative proposals. In ALG1, people feature little. The ALG1 keyword *I* collocates with 10/15 terms (Appendix 130), which personalises the speakers' statements. Of the R1 (one place to the right) collocates for *I* (Appendix 131), 29/114 are stative verbs or verbs with stative function:

<i>I AM</i> (307)	<i>I agree</i> (26)	<i>I wonder</i> (16)	<i>I share</i> (5)	<i>I doubt</i> (3)
<i>I believe</i> (106)	<i>I know</i> (26)	<i>I feel</i> (13)	<i>I consider</i> (5)	<i>I welcome</i> (3)
<i>I hope</i> (87)	<i>I understand</i> (23)	<i>I find</i> (12)	<i>I see</i> (4)	<i>I suspect</i> (3)
<i>I think</i> (67)	<i>I want</i> (18)	<i>I oppose</i> (6)	<i>I recognise</i> (4)	<i>I submit</i> (3)
<i>I have</i> (49)	<i>I accept</i> (17)	<i>I prefer</i> (5)	<i>I remember</i> (4)	<i>I hear</i> (3)
<i>I wish</i> (31)	<i>I support</i> (16)	<i>I suppose</i> (5)	<i>I deplore</i> (3)	

Eleven are modal or semi-modal verbs:

<i>I shall</i> (133)	<i>I can</i> (48)	<i>I would</i> (41)	<i>I cannot</i> (32)	<i>I might</i> (9)	<i>I could</i> (4)
<i>I should</i> (69)	<i>I may</i> (46)	<i>I must</i> (32)	<i>I will</i> (25)	<i>I have to</i> (9)	

Twenty-eight are reporting verbs some of which are also stative:

<i>I have +pp</i> (154)	<i>I understood</i> (9)	<i>I received</i> (4)	<i>I tried</i> (3)	<i>I endeavoured</i> (3)
<i>I was</i> (76)	<i>I read</i> (8)	<i>I discussed</i> (3)	<i>I listened</i> (3)	<i>I indicated</i> (3)
<i>I said</i> (39)	<i>I made</i> (7)	<i>I agreed</i> (3)	<i>I looked</i> (3)	<i>I gave</i> (3)
<i>I did</i> (27)	<i>I spoke</i> (5)	<i>I dealt</i> (3)	<i>I enjoyed</i> (3)	<i>I felt</i> (3)
<i>I had</i> (23)	<i>I moved</i> (5)	<i>I began</i> (3)	<i>I explained</i> (3)	
<i>I thought</i> (16)	<i>I took</i> (4)	<i>I came</i> (3)	<i>I supported</i> (3)	

This ALG1 subjectivity is strengthened by R1 emphatic adverbs:

<i>I strongly</i> (6)	<i>I very</i> (5)	<i>I totally</i> (4)	<i>I well</i> (3)	<i>I really</i> (3)
<i>I entirely</i> (6)	<i>I certainly</i> (5)	<i>I fully</i> (4)	<i>I warmly</i> (3)	<i>I personally</i> (3)

In addition, *I AM*, *I have* and *I do* (Appendices 131A-C) preface further states and reports. This marks a clear contrast with the PLG1 focus on the *PEOPLE* affected by the proposals. Where sexuality was concerned, ALG1 speakers were more focused on their personal views.

The keyword lists (Appendices 95-96) are further considered along-side themes identified on the sexuality-term collocate charts (Appendices 97-111 for PLG1 and 112-126 for ALG—the themes are collated in Appendices 132-143). Ranking the percentage of collocates in each corpus highlights the speakers' main preoccupations:

	PLG1 Themes	ALG1 Themes
1.	Prejudice/Rights (0.31%/2KWs)	Prejudice/Rights (0.32%/3KWs)
2.	Gender (0.23%/2KWs)	Sexual Activity (0.24%)
3.	Sexual Activity (0.17%/1KW)	Groups/Organisations (0.18%/4KWs)
4.	Children/Young People (0.14%/1KW)	Gender (0.12%)
5.	Groups/Organisations (0.11%)	Children/Young People (0.09%)
6.	Education/Schools (0.10%/2KWs)	Education/Schools (0.09%)
7.	Relationships (0.08%)	'Offences'/Criminality (0.08%)
8.	'Offences'/Criminality (0.08%)	Relationships (0.06%)
9.	Parenting/Families (0.03%)	Parenting/Families (0.04%)
10.	Health/Disease (0.02%)	Health/Disease (0.01%)
11.	Religion/Moralities (<0.01%)	Normality/Deviance (<0.01%)
12.	Normality/Deviance (<0.01%)	Religion/Moralities (<0.01%)

To prioritise the most contentious issues, only those themes where the collocates in both corpora amount to >0.10% of the corpus words are examined below.

\*   \*   \*

Prejudice, Discrimination and Rights (Appendix 132) has most collocates. In both corpora, *homosexual/homosexuals/homosexuality* collocate reciprocally with *heterosexual/heterosexuals/heterosexuality*, but there is an imbalance:

PLG1	term	Collocates/Frequency (%)		ALG1	term	Collocates/Frequency (%)	
	homosexual	25/351	(7.1%)		homosexual	15/334	(4.5%)
	heterosexual	25/101	(25%)		heterosexual	15/59	(25.4%)
	homosexuals	10/166	(6%)		homosexuals	4/158	(2.5%)
	heterosexuals	10/33	(30.3%)		heterosexuals	4/12	(33.3%)
	homosexuality	3/393	(0.8%)		homosexuality	8/362	(2.2%)
	heterosexuality	3/15	(20%)		heterosexuality	8/19	(42.1%)

The sparse use and greater pairing of *heterosexual/heterosexuals/heterosexuality* in both corpora support the category's largely taken-for-granted status, it was "not subject to discussion" in its own right (Voloshinov 2012: 167). However, the terms were differently associated by each side. In ALG1, *alternative* occurs in claims that *homosexuality* was not an acceptable *alternative* to *heterosexuality* (Appendix 144); in PLG1, *acceptance* occurs in arguments supporting *acceptance* of *homosexuality* (*ibid*). In ALG1 *between* occurs in assertions of difference or denials of equality between *homosexuality* and *heterosexuality* (Appendix 145); in PLG1 *whether* occurs in statements applied to both *heterosexual* and *homosexual* (*ibid*). The shared collocates occur largely in Clause 28 debates in arguments over the claimed promotion:

<i>acceptable</i>	<i>acceptability</i>	<i>discrimination</i>	<i>encouraging</i>	<i>illegal</i>	<i>problems</i>
<i>prohibition</i>	<i>promote</i>	<i>promoted</i>	<i>promotes</i>	<i>promoting</i>	<i>promotion</i>

As in the Clause wording they link to the clinical terms and not *lesbian* or *gay*.

Two collocates, *against* and *rights*, link to *lesbian* and *gay* as well as the clinical terms. In PLG1, the R1 collocates for *against* (Appendix 146) list:

<i>against homosexuals</i> (11)	<i>against AIDS</i> (6)	<i>against local</i> (3)
<i>against lesbians</i> (6)	<i>against GAY</i> (6)	<i>against PEOPLE</i> (3)

Concordance lines for these collocates (Appendix 147) show that *discrimination* and *PREJUDICE* against *homosexuals*, *lesbians* and *GAY MEN*, *AIDS* prevention initiatives, *local authorities* and *PEOPLE* in general were concerns. *PREJUDICE*, *FEAR* and *BIGOTRY* are keywords (Appendices 148-150), plus *discrimination* was



proportionately more used by PLG1 speakers and collocates more widely with the sexuality terms. In ALG1, the R1 collocates for *against* (Appendix 151) list:

<i>against homosexuals</i> (13)	<i>against discrimination</i> (3)
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Denials pervade the lines for both collocates (Appendix 152), but are undermined by the keyword collocates *PROHIBITION*, *INFLUENCE* and *LIFESTYLE* (Appendix 153). Most lines for *PROHIBITION* link to the claimed promotion of *homosexuality* in Clause 28 debates, while the lines for *INFLUENCE of* and *LIFESTYLE* position *homosexuality* as undesirable.

Similar differences are evident in the collocates for *rights*. In PLG1, the L1 collocates for *rights* (Appendix 154) list:

<i>human rights</i> (39)	<i>civil rights</i> (27)	<i>GAY rights</i> (13)	<i>equal rights</i> (7)
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These collocates (Appendix 155) occur in various arguments. The lines for *human rights* and *civil rights* appeal to an assumed commitment to both. Most lines for *GAY rights* occur in Clause 28 debates and defend Labour support for them, while the lines for *equal rights* occur in equality arguments. In ALG1, the L1 collocates for *rights* (Appendix 156) list:

<i>civil rights</i> (14)	<i>human rights</i> (8)	<i>gay rights</i> (5)	<i>lesbian rights</i> (5)
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The lines for these collocates (Appendix 157) also occur in different arguments. Most lines for *civil rights*, occur in Clause 28 debates and claim protection of *civil rights* while denying the Clause would affect them. Similarly, the lines for *human rights* occur in denials that the issues in question were a *human rights* matter. However the lines for *gay rights* and *lesbian rights* exude scepticism and derision, which further undermines ALG1 speakers' claims to be *against discrimination* and protecting *civil rights*.

The theme reveals important distinctions between the corpora. PLG1 speakers argued against prejudice and discrimination and defended lesbian and

gay rights. ALG1 speakers denied discrimination, but refused to consider how rights applied to lesbians and gay men. In so doing, they maintained the “official ideology” (Volshinov 1976: 88-9) of homophobic beliefs.

\*       \*       \*

The theme of Sexual Activity (Appendix 133) has the second-highest joint collocate frequency, markedly higher in ALG1. Many collocates are shared:

<i>activity</i>	<i>acts</i>	<i>behaviour</i>	<i>act</i>	<i>consent</i>	<i>sex</i>	<i>sexual</i>	<i>conduct</i>
<i>intercourse</i>	<i>relations</i>	<i>engage</i>	<i>experience</i>	<i>private</i>	<i>homosexual</i>	<i>matters</i>	

However their distribution varies. The ALG1 focus is on *homosexual activity*, but the PLG1 focus extends to *sexual activity* and *heterosexual activity*. *Gay(s)* barely feature in the theme and *lesbian(s)* not at all. The *sexual activity* is linked to the clinical terms (as in Baker 2004b/2005: Ch.2), while the intermittent pairing of *homosexual(s)* and *lesbian(s)* (Appendices 158-159) shifts the focus onto men. *Activity* is the most frequent collocate and links to *homosexual*, *heterosexual* and *sexual* in both corpora. *Acts* is the second-most frequent collocate which in ALG1 links only to *homosexual*, but in PLG1 to *homosexual*, *sexual* and *heterosexual*.

The ALG1 concordance lines for *homosexual activity* (Appendix 160) divide between legislative issues. Those in Clause 28 debates (1-11) imply Labour councils were promoting *homosexual activity*, though whether this was actually believed or a rhetorical ploy is indeterminable. Lines in armed-forces debates (12-17; 25-32) stress the incompatibility of *homosexual activity* with forces life, though *administrative discharge* applied to lesbian and gay personnel regardless of *sexual activity*. This conflation of *homosexuality* with *acts* epitomises the ALG1 position. Lines occurring in the age-of-consent debates (18-24) cast *homosexual activity* as neither *natural* nor *normal*, nor equivalent to *heterosexual activity*. These views are echoed in the lines for *sexual activity* and *heterosexual activity* (*ibid*) in which derision of *homosexuality* is maintained. References to infection and disease appear in the lines for all three collocates.

The ALG1 lines for *homosexual acts* (Appendix 161) also divide between legislative issues. Those in Clause 28 debates (1-9) focus mainly on descriptions of *homosexual acts* and the feared acceptance of *homosexuality*. *Homosexuality* is again conflated with *acts* and compounded by the scarcity of ALG1 collocates linked to Relationships (Appendix 139). Lines in armed-forces debates focus on decriminalisation (10-11) and the dismissal of *homosexual* personnel (19-26; 29). Though dismissal applied equally to lesbians, the lines focus on sex between men. Lines in age-of-consent debates (12-18) cite Christian morality and stress privacy: *abnormal*, *offensive*, *morally wrong* and *buggery* pepper the lines. Both *buggery* and *private* (Appendix 162) collocate with *homosexual* and link to the conditions of the 1967 Sexual Offences Act which applied only to men and which ALG1 speakers upheld as a bastion of tolerance in civilian life.

Most PLG1 lines for *homosexual activity* (Appendix 163) occur in armed-forces debates. While lines 2-6 occur in arguments for the decriminalisation of gay forces personnel, lines 13-17 are concessionary: they occur in an attempt to dissuade military chiefs from making the 1992 discharge policy legally binding. Lines in age of consent debates (7-11) occur in arguments for decriminalisation and include a refutation that *homosexual activity* was *abnormal*. Similarly, the concession in a Clause 28 debate (1) that *homosexual activity* was *morally wrong* prefaces the argument that this was no reason to legislate against it. The lines for *sexual activity* (*ibid*) maintain equality between sexualities, as do the lines for *heterosexual activity* (*ibid*), one of which (2) challenges its claimed normality.

Most PLG1 lines for *homosexual acts* (Appendix 164) occur in age-of-consent debates (8-23) where they dispute distinctions between *heterosexual* and *homosexual acts* and legal distinctions between *homosexual men* and *women*. Conversely, they do distinguish between *homosexual acts* and *homosexuality* in arguing that the former do not necessarily lead to the latter. Similarly, the lines in Clause 28 debates (1-7) tackle the ALG1 conflation of *homosexual acts* with

*homosexuality*, as does a line for *sexual acts* (1) and one for *heterosexual acts* (1) (*ibid*). Most lines for these latter collocates occur in age-of-consent debates (3-12; 2-3). Those for *sexual acts* dispute distinctions between sexualities and genders, while those for *heterosexual acts* uphold the age of 16 as an enforceable age of consent for all. There is also more PLG1 emphasis on *consent*. *Consenting* and *consensual* are PLG1 collocates as well as *consent*. However, as Waites (2005a: 5) notes, *the age of consent* refers to legality rather than criteria for *consent*.

The theme illustrates a very basic difference. ALG1 speakers premised their claims on sexual acts, thus reviving the lingering heritage of sin and crime (Chapter 1). This enabled them to conjure and propagate negative associations without directly attacking the people concerned. PLG1 speakers premised their arguments on people's contemporary identities, which illustrates the importance group identity in political struggle. As Voloshinov (2012: 146) argued, struggle against "official ideology" requires group engagement.

\*   \*   \*

The third theme, Gender (Appendix 134), is harder to unravel. The pairing of *lesbian(s)* with *gay(s)* or *homosexual(s)* positions the latter as male categories. The pairing of *lesbianism* and *homosexuality* makes the same point. The pairings total 113 in PLG1 (Appendix 165) and 52 in ALG1 (Appendix 166). Though PLG1 speakers were more inclusive of women, there is an imbalance:

PLG1	term	total	with	total paired	% paired
	lesbian	87	GAY/homosexual	65+5	80.5%
	lesbians	52	GAY/homosexuals/gays	21+11+8	77%
	lesbianism	5	homosexuality	3	60%
	GAY	237	lesbian/lesbians	65+21	36.3%
	gays	21	lesbians	8	38%
	homosexual	352	lesbian	5	1.4%
	homosexuals	166	lesbians	11	6.6%
	homosexuality	393	lesbianism	3	0.76%

The much higher percentages of pairings for *lesbian(s)* positions them largely as

appendages to the male-aligned terms in that they have little independent use. The clinical terms in particular are largely male aligned. Excluding the 14 uses of *GAY PEOPLE* and 19 of *homosexual PEOPLE* makes little difference to the degree of male alignment. In addition, neither *GAY PEOPLE* nor *homosexual PEOPLE* link to *lesbian*, but 10/11 uses of *lesbian PEOPLE* occur in *GAY and lesbian PEOPLE* and one in *homosexual and lesbian PEOPLE*. This positions *GAY/homosexual MEN* as the focus of debate.

The PLG1 pairings of *women/MEN* and *female/male* (Appendix 167) follow a similar pattern, but with a less extreme imbalance:

PLG1	term	total	with	total	% paired	sexuality identified	%	no.paired
	women	106	men	35	33%	women	9/106	8.5% (8 paired)
	MEN	243	women	35	14.4%	MEN	83/243	33.9% (8 paired)*
	female	16	male	10	62.5%	female	7/16	43.8% (5 paired)
	male	45	female	10	22.2%	male	20/45	44.4% (5 paired)**

\* although 8 identifications are paired with women, 22 others are paired with lesbian(s)

\*\* although three identifications are paired with female, two others are paired with lesbian(s)

While there are proportionately more independent uses of *women* and *female* than *lesbian(s)*, *MEN* and *male* are salient. The *MEN* also have their sexuality identified more often, while all but one identification of *women's* sexuality are in pairings (Appendices 168-169). The pattern for *female* and *male* is similar but more negative (Appendices 170-171). Sexuality is identified mostly via the clinical terms and linked to criminality (rape/teacher-pupil seduction) and litigation. Also *female* is more sexualised than *women* (7/16 lines link *female* to sexuality, only 9/106 do so for *women*). With the scarcity of heterosexual identification, this suggests the sexuality of women and heterosexuals was not at issue.

Although PLG1 speakers were ostensibly defending both *lesbians* and *GAY MEN* in 12/14 debates, they focused on *MEN*. The extent to which they were addressing an ALG1 agenda, historical precedents, or internalised stereotypes is indeterminable, but there is support for the first of these in ALG1.

The ALG1 imbalance of non-heterosexual-term pairings is less marked for *lesbian(s)* and *gay(s)*, but similar for the clinical terms:

ALG1	term	total	with	total paired	% paired
	lesbian	48	gay/homosexual	29+4	68.8%
	lesbians	20	homosexuals/gay/gays	7+4+4	75%
	lesbianism	6	homosexuality	5	83%
	gay	77	lesbian/lesbians	29+4	42.9%
	gays	4	lesbians	4	100%
	homosexual	334	lesbian	4	1.2%
	homosexuals	158	lesbians	7	4.4%
	homosexuality	362	lesbianism	5	1.4%

Three uses of *gay people* and two of *homosexual people* make little difference to the degree of male alignment, plus the two uses of *lesbian people* are paired with *gay*. However, the independent use of *lesbian(s)* is larger than in PLG1. The ALG1 concordance lines (Appendix 172) portray *lesbian(s)* as relatively benign unless parenting is involved (*lesbian* 5, 24, 41-3/*lesbians* 19); only two lines suggest sexual threat (*lesbian* 47-8). In addition, the retention of *lesbian* with *homosexual* (*lesbian* 44-6) in an amendment supports *homosexual* as a gendered term. This further positions *homosexual men* as the main concern, subsumed in the case of ALG1 by *homosexual acts*.

The ALG1 frequencies of *men/women* and *male/female* (Appendix 173) are more balanced and more frequently paired:

ALG1	term	total	with	total	% paired	sexuality identified	%	no. paired
	women	58	men	28	48.2%	women	5/58	8.6% (4 paired)
	men	97	women	28	28.9%	men	13/97	13.4% (4 paired)*
	female	17	male	13	76.5%	female	5/17	29.4% (5 paired)
	male	34	female	13	38.2%	male	14/34	41.2% (5 paired)

\* although four identifications are paired with women, four others are paired with *lesbian(s)*

While *women* is less often paired than *female* or *lesbian(s)*, *men* and *male* have greater independent use and their sexuality is more often identified (Appendices 174-175). Notably, there are no references to heterosexual men, but while *men's*

sexuality is identified more often than *women's*, the difference is smaller than in PLG1. As in PLG1, *female* is more sexualised than *women*, but the ALG1 uses of *female* and *male* are more negative (Appendices 176-177). As well as the use of clinical terms and links to criminality, the lines for both terms are peppered with references to *that unnatural act*, *buggery* and *anal intercourse*.

Various points need further comment. The greater independent use of *women* in both corpora is accompanied by lower levels of sexuality identification. The uses of *female* are not only more frequently paired, but have negative sexual associations that *women* does not. This difference also applies to *male* and *men*, especially in ALG1. Both *women* and *men* are nouns for people. PLG1 speakers' greater use of these nouns can be related to their concern with the effects of the proposals on people's lives, while their greater focus on the sexual identity of *men* humanises the ALG1 undertow of *male homosexual acts*. By contrast, *female* and *male* are adjectives for concepts that need not apply to people. They are thus an easier target for negativity, most evident in ALG1.

Ultimately, the focus on *men* aligns with views of sexuality based on the maintenance of gender divisions handed down via dominant interpretations of the bible, imperial laws and quasi-scientific clinical discourse (Chapter 1). It is this heritage, the "official ideology" (Voloshinov 2012: 146) it propagated and perpetuated, and its proscriptions of sex between men, that ALG1 speakers drew on. However, while PLG1 speakers argued for an equal age of consent for *men* and *women*, and upheld equality in general, the gender binary went completely unquestioned in all debates; it had not become "dubious" (*ibid*: 101).

\* \* \*

The fourth and final theme in this comparison, Groups and Organisations (Appendix 135) relates to 1980s political struggles. Most collocates occur in Clause 28 debates. All but one link to the non-heterosexual terms. The most frequent collocates in both corpora are *local*, *authority/authorities*, which ALG1

speakers claimed were promoting homosexuality. All three are ALG1 keywords, while *council*, *councils* and *positive images* are related collocates linked mainly to the clinical terms, especially *homosexuality*, as in the Clause wording. However, twelve collocates link only to *lesbian* or *gay*:

ALG1	<i>charter</i>	<i>strength</i>	<i>pride</i>	<i>proud</i>	<i>centres</i>	<i>clubs</i>		
PLG1	<i>Labour</i>	<i>group</i>	<i>theatre</i>	<i>campaign</i>	<i>lines</i>	<i>Capital</i>	<i>centres</i>	<i>clubs</i>

These two sets of collocates highlight key features of the 1980s struggle against prejudice and discrimination.

Concordance lines for the ALG1 collocates (Appendix 178) show they all occur in reports or quotes, which places them outside the speakers' spontaneous repertoire, or unappropriated (Bakhtin 1981: 294). The ubiquity of the collocates suggests it was their link to *lesbian* and *gay* that put them beyond spontaneous use. This non-acceptance of *lesbian* and *gay* identities is supported by speakers' more frequent and less reported use of clinical terms, as in the lines for *groups* and *community*, which collocate with clinical terms as well as *lesbian* and *gay* (Appendix 179). The ALG1 keyword *HETEROSEXISM* also occurs only in reports or quotes (Appendix 180) and was construed as an attack on *heterosexuality* rather than a term for institutionalised prejudice and discrimination.

Factual inaccuracies in the ALG1 lines show the extent to which speakers' information came from hearsay. For example: 'Changing the World' was neither an ILEA publication nor a glossy pamphlet (*charter* 1 & 7) but a grey-covered booklet produced by the GLC lesbian and gay working party; Lesbian Strength and Gay Pride marches were for all lesbians and gay men, not specifically young people (*strength* 5, *pride* 5); the book 'Young Gay and Proud' was for teenagers, not children (*proud* 2); the claim that two-year-olds had access to lesbian and gay books in Lambeth play-centres (*centres* 3) was an inflated account of an undated Evening Standard item cited in an earlier debate (HL 11.1.1988 c.1012);



'Tackling Heterosexism' was not a book brought out by nine London boroughs (*HETEROSEXISM* 8) but a grey-covered booklet produced by the GLC Women's Committee. These quotes and reports misrepresent the publications and events referred to. Whether uncomprehending, credulous, or deliberate, they locate speakers' "social hierarchy of values" (Voloshinov 1986: 123) within the heritage of homophobic belief. Misrepresentation is also evident in the lines for *positive images* (Appendix 181) which were misconstrued as promotion of *homosexuality* and by implication, as noted above, *homosexual acts*. While the PLG1 lines for *positive images* (*ibid*) challenge the claimed promotion, they fail to address the undertow of sexual activity.

The PLG1 collocates occur in fewer reports or quotes (Appendix 182). Ten lines (*Labour* 20-3/*campaign* 22, 24-5/*lines* 11-12/*centres* 7) occur in quotes of the 1985 Labour-conference resolution on recognising *lesbian* and *gay* rights and opposing discrimination. These upholdings of Labour policy against ALG1 misrepresentation occur in the final debate on the Clause before it became law. Most other lines occur in justifications of local services for *lesbians* and *GAY MEN*, or in questions about what constituted promotion. However, two lines for *campaign* (28-29) condemn the Liberals' exploitation of homophobia during the 1983 Bermondsey by-election when Peter Tatchell was the Labour candidate.

The theme captures some of the local initiatives targeted by Clause 28, which in turn became the catalyst that galvanised the struggle for legal reform. PLG1 speakers' acceptance of *lesbian* and *GAY* self-chosen identities and anti-discrimination agenda supports the importance of group identity in political struggle. ALG1 speakers' refusal of lesbian and gay identities and preference for the clinical terms linked to (homo)sexual acts (as in Baker 2004b: 92-3) enabled them to bypass consideration of lesbians and gay men as people and citizens and to misrepresent the struggle against discrimination.

The four themes in this first comparison expose notable polarisations. The corpora represent two distinct “communities of value judgments” (Voloshinov 2012: 165). In PLG1, the objective focus on people, via references to *lesbians*, *GAY MEN*, *PEOPLE* and *CITIZENS*, defends anti-discrimination initiatives and recognises rights. In ALG1, the subjective focus on speakers’ own views, via the keyword *I*, defends the prohibition of sexual acts between men. The heritage from which this subjectivity derives (Chapter 1) relates to the protection of male-gender boundaries, which are a key constituent of homophobic beliefs.

### **PLG2 and ALG2**

The debates in Comparison 2 divide less along party lines: only two debates had whipped votes on both sides; four had whipped votes on one side; eight had free votes on both sides. PLG2 speakers include members of all but the Unionist parties, but Conservatives dominate ALG2. Prominent among the ALG2 keywords (Appendix 183) is *HOMOSEXUAL* with  $p < 0.0000000000$  which suggests speakers clung to the clinical view. Both *LESBIAN* and *GAY* are PLG2 keywords (Appendix 184).

Among the keywords collocating with sexuality terms (Appendices 185-198 for PLG2 and 199-212 for ALG2) four are prominent. In PLG2, *AND* and *FOR* collocate with 14/15 and 13/15 terms respectively (Appendix 213). Their L1 and R1 collocates illustrate staple features of PLG2. Many collocates of *AND* concern relationship qualities (Appendices 214-215), some of which are linked to form recurring thematic pairs. Top among these is *rights AND RESPONSIBILITIES* (Appendix 216) which pervades the civil partnership debates, other paired collocates capture the often emotive PLG2 portrayal of relationships (Appendix 217). The L1 and R1 collocates of *FOR* are less paired (Appendices 218-219). Those that recur support the PLG2 focus on relationships with both real-life and

generalised examples (Appendix 220). The PLG2 objective focus on people is sustained by the keyword *THEIR* with  $p < 0.0000000000$ , which collocates with 8/15 sexuality terms (Appendix 213). The R1 collocates for *THEIR* (Appendix 221) show the top 20 nouns to which it applies mainly concern people's relationships:

<i>lives</i> (49)	<i>parents</i> (17)	<i>sexuality</i> (13)	<i>home</i> (10)	<i>marriage</i> (6)
<i>relationship</i> (49)	<i>PARTNER</i> (15)	<i>partnership</i> (13)	<i>lordships</i> (8)	<i>suitability</i> (6)
<i>children</i> (28)	<i>PARTNERS</i> (14)	<i>commitment</i> (12)	<i>families</i> (7)	<i>partnerships</i> (6)
<i>relationships</i> (24)	<i>life</i> (14)	<i>rights</i> (12)	<i>family</i> (7)	<i>position</i> (6)

In ALG2, the keyword *I* has  $p < 0.0000000008$  and collocates with 8/15 sexuality terms (Appendix 222). Of the R1 collocates for *I* (Appendix 223), 34/124 are stative verbs or verbs with stative function:

<i>I AM</i> (388)	<i>I agree</i> (34)	<i>I suspect</i> (13)	<i>I suppose</i> (7)	<i>I remain</i> (5)
<i>I believe</i> (89)	<i>I want</i> (34)	<i>I recognise</i> (11)	<i>I see</i> (6)	<i>I disagree</i> (4)
<i>I hope</i> (78)	<i>I find</i> (21)	<i>I welcome</i> (10)	<i>I doubt</i> (6)	<i>I gather</i> (4)
<i>I think</i> (62)	<i>I wish</i> (18)	<i>I respect</i> (8)	<i>I realise</i> (6)	<i>I recall</i> (3)
<i>I have</i> (42)	<i>I accept</i> (18)	<i>I wonder</i> (8)	<i>I assume</i> (5)	<i>I happen</i> (3)
<i>I understand</i> (36)	<i>I feel</i> (15)	<i>I presume</i> (8)	<i>I oppose</i> (5)	<i>I trust</i> (3)
<i>I know</i> (36)	<i>I support</i> (14)	<i>I fear</i> (8)	<i>I remember</i> (5)	

Eleven are modal or semi-modal verbs:

<i>I shall</i> (140)	<i>I can</i> (40)	<i>I cannot</i> (37)	<i>I may</i> (27)	<i>I could</i> (10)	<i>I have to</i> (3)
<i>I would</i> (58)	<i>I will</i> (39)	<i>I should</i> (28)	<i>I must</i> (13)	<i>I might</i> (4)	

Thirty are reporting verbs, some of which are stative:

<i>I have +pp</i> (90)	<i>I tabled</i> (9)	<i>I gave</i> (6)	<i>I heard</i> (5)	<i>I started</i> (4)	<i>I moved</i> (3)
<i>I was</i> (78)	<i>I thought</i> (9)	<i>I raised</i> (6)	<i>I referred</i> (5)	<i>I quoted</i> (4)	<i>I were</i> (3)
<i>I said</i> (34)	<i>I listened</i> (8)	<i>I suggested</i> (5)	<i>I pointed</i> (4)	<i>I used</i> (3)	<i>I dealt</i> (3)
<i>I did</i> (25)	<i>I came</i> (6)	<i>I read</i> (5)	<i>I felt</i> (4)	<i>I made</i> (3)	<i>I received</i> (3)
<i>I had</i> (20)	<i>I mentioned</i> (6)	<i>I asked</i> (5)	<i>I wanted</i> (4)	<i>I saw</i> (3)	<i>I described</i> (3)

Six are emphatic adverbs:

<i>I certainly</i> (13)	<i>I entirely</i> (8)	<i>I really</i> (8)	<i>I very</i> (6)	<i>I simply</i> (6)	<i>I warmly</i> (3)
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As in ALG1, *I AM*, *I have* and *I do* preface further states and reports (Appendices

223A-C). That both ALG1 and ALG2 speakers were predisposed to personalising their views of the legislative proposals in question, affirms the subjectivity of their resistance to reform.

Of the sexuality-term-collocate themes in Comparison 2 (Appendices 185-198 for PLG2 and 199-212 for ALG2—collated Appendices 224-235), only three have collocates amounting to >0.10% in both corpora:

	PLG2 Themes	ALG2 Themes
1.	Relationships (0.60%/8KWs)	Relationships (0.53%/3KWs)
2.	Gender (0.34%/3KWs)	Gender (0.23%/1KW)
3.	Prejudice/Rights (0.20%/9KWs)	Prejudice/Rights (0.10%/2KWs)
4.	Parenting/Families (0.05%)	Parenting/Families (0.04%/1KW)
5.	Children/Young People (0.02%)	Education/Schools (0.04%/1KW)
6.	Education/Schools (0.02%)	Children/Young People (0.01%)
7.	Religion/Moralities (<0.01%)	Groups/Organisations (<0.01%)
8.	'Offences'/Criminality (<0.01%)	Religion/Moralities (<0.01%)
9.	Groups/Organisations (<0.01%)	Sexual Activity (<0.01%)
10.	Sexual Activity (<0.01%)	Health/Disease (0)
11.	Health/Disease (0)	Normality/Deviance (0)
12.	Normality/Deviance (0)	'Offences'/Criminality (0)

In addition, the last six themes in both corpora account for <0.01% of each corpus, two of which in PLG2 and three in ALG2 have no linked collocates at all. This constitutes a reversal when compared with Comparison 1. In Comparison 1, only two themes accounted for <0.01% of each corpora and the themes of 'Sexual Activity' and 'Groups and Organisations' were prominent. In the case of 'Groups and Organisations' this suggests that post Clause 28 the theme became a non-issue. The other five diminished themes in Comparison 2 are all particularly negative which suggests associations with them were becoming less publicly acceptable. Conversely, the top theme in Comparison 2, 'Relationships', was not prominent in Comparison 1.

\* \* \*

There is considerable repetition among the collocates linked to the theme of Relationships (Appendix 224). By far the most frequent in both corpora are

*couple(s)* and *relationship(s)*, plus the PLG2 keywords *PARTNER(S)* and the ALG2 keyword *MARRIAGE*.

The PLG2 collocates for *couple(s)*, *relationship(s)* and *PARTNER(S)* confirm the repetition (Appendices 236-241). This is most clearly illustrated on the PLG2 Venn diagram below. The collocates in the centre of the diagram, which are shared by all three categories, occur in two main arguments:

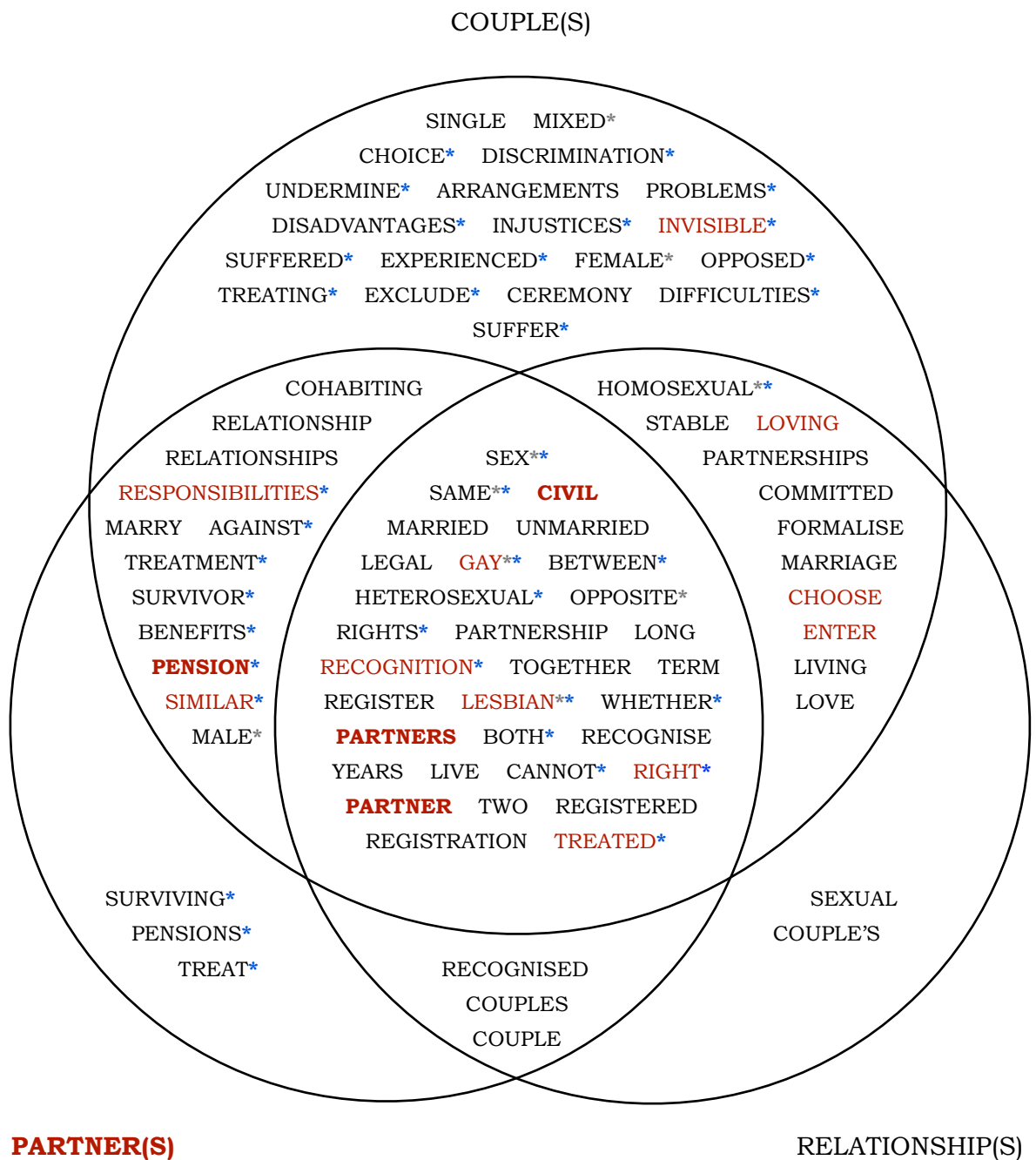
1. for the *legal RECOGNITION* of *long-term LESBIAN, GAY* or *same-sex PARTNERS*, who may have been *together FOR years*, via *REGISTRATION* of *THEIR partnership*;
2. for *legal parity* of *CIVIL PARTNERS* with *married heterosexual/ opposite-sex couples*.

Other arguments attach to unmarried:

1. against the exclusion of *unmarried couples* from joint adoption applications;
2. against situations that *unmarried* (heterosexual) or *same-sex PARTNERS* face through lack of *legal rights*.

Collocates shared by *couple(s)* and *relationship(s)* highlight emotional qualities: *stable, LOVING, committed* and *love* apply to *unmarried couples' relationships* or children's needs in adoption debates and to *same-sex couples' relationships* in civil partnership debates (Appendices 242-245). *Sexual* collocates only with *relationship(s)* and occurs mainly in responses to ALG2 consternation that *CIVIL partnership* applied only to (homo)sexual *relationships* (Appendix 246). Collocates shared by *couple(s)* and *PARTNER(S)* highlight equality: arguments about who can/cannot *marry* mostly support the *legal RECOGNITION* of *same-sex couple(s)* or *PARTNER(S)*, while *benefits, RESPONSIBILITIES, treatment, PENSION, SIMILAR* and *survivor* occur mostly in arguments for *legal parity* between *CIVIL PARTNERS* and *married couples* (Appendices 247-253). Collocates of *couple(s)* link largely to arguments against *discrimination*, while those of *PARTNER(S)* are specific to arguments against the proposed unequal *PENSION* provision for bereaved *CIVIL PARTNERS*. Conversely, the non-collocation of *homosexual* with *PARTNER(S)* hails a positive dissociation of *PARTNER(S)* from this clinical term.

## PLG2 Sexuality Term Collocates shared by Couple(s), Relationship(s), Partner(s)



key: BLACK CAPITALS: sexuality-term collocates linked to Relationships (Appendix 224)

RED CAPITALS: sexuality-term keyword collocates ( $p < 0.000000000$  in **bold**)

\* sexuality-term collocates also linked to Gender (Appendix 225)

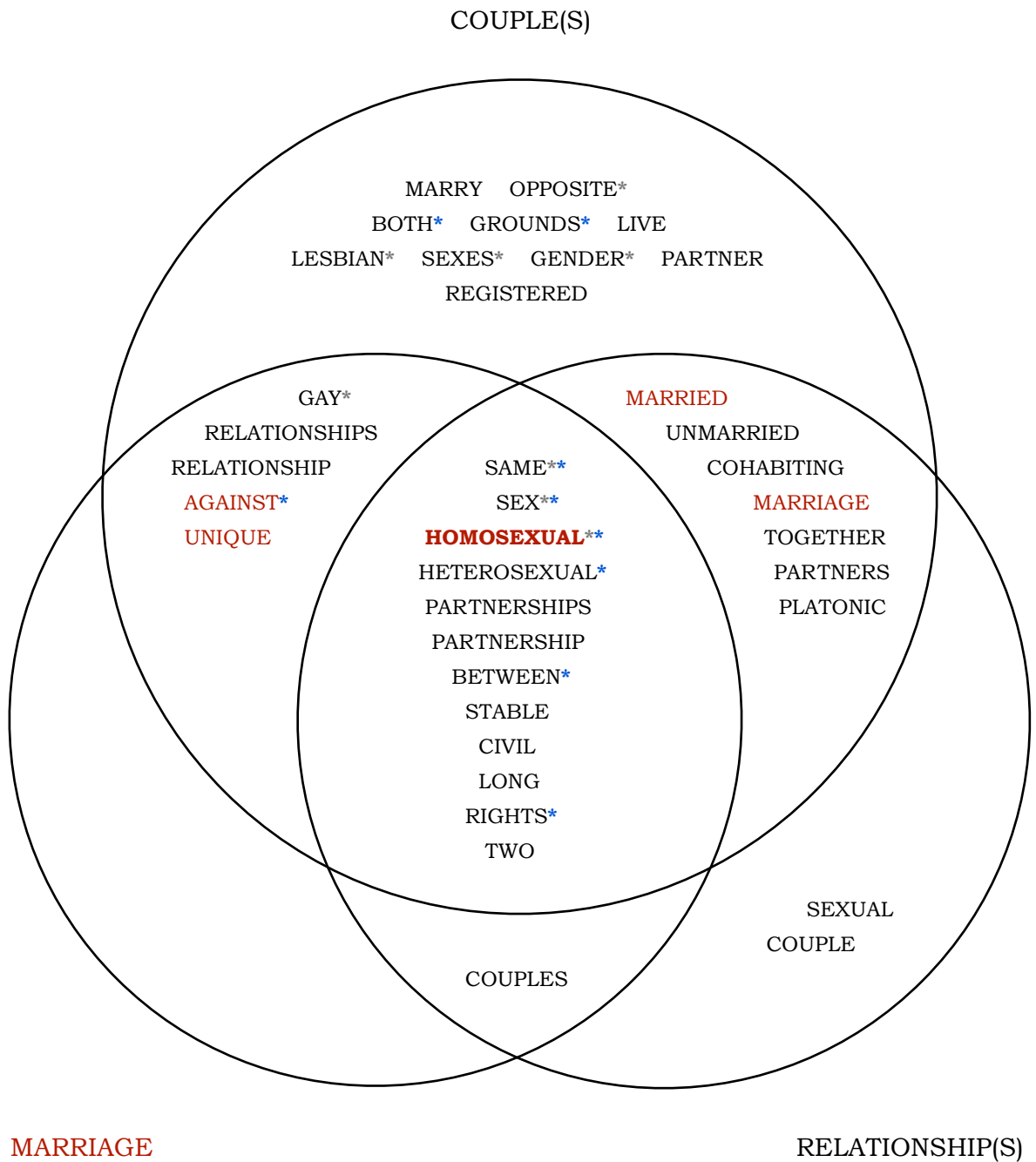
\* sexuality-term collocates also linked to Prejudice, Discrimination & Rights (Appendix 226)

The ALG2 sexuality-term collocates for *couple(s)*, *relationship(s)* and *MARRIAGE* (Appendices 254-258) are fewer than those in PLG2, but most are shared. Only five collocates on the ALG2 Venn diagram are not on that for PLG2 (*UNIQUE*, *platonic*, *sexes*, *gender*, *grounds*). The collocates in the centre of the diagram occur in nine core claims:

1. that the *relationship(s)* of *heterosexual couple(s)* were more *stable* and more *long-term/long-lasting* than the *relationship(s)* of *HOMOSEXUAL/same-sex couple(s)*
2. that *HOMOSEXUAL/same-sex couple(s)* could not provide *stable* homes for children
3. that allowing unmarried and *HOMOSEXUAL/same-sex couples* to adopt equated cohabitation with *MARRIAGE* and *HOMOSEXUAL relationships* with *heterosexual relationships*
4. that *civil partnerships* were a form of *civil MARRIAGE* for *HOMOSEXUAL/same-sex couples*
5. that *civil partnerships* equated *HOMOSEXUAL/same-sex relationships* with *MARRIAGE*
6. that *civil partnerships* treated *HOMOSEXUAL/same-sex couples* as equal to *heterosexual couples*
7. that *civil partnerships* undermined *MARRIAGE*
8. that *civil partnerships* unfairly privileged *HOMOSEXUAL/same-sex couples*
9. that restricting *civil partnerships* to *HOMOSEXUAL/same-sex couples* discriminated against other *long-term* cohabitants

Significantly, *stable* collocates only with *heterosexual* among the sexuality terms. Collocates shared by *couple(s)* and *MARRIAGE* highlight perceived threats. *Gay* occurs in various negative claims: that civil partnership was *gay MARRIAGE* and thus undermined its (heterosexual) status; that *gay couples* were unfit to adopt; that civil partnership gave *gay couple(s)* preferential treatment (Appendix 259). *UNIQUE* occurs in protection of *MARRIAGE* claims and functions as a metaphor for *heterosexual* (Appendix 260). Collocates shared by *couple(s)* and *relationship(s)* focus on relationship status. *MARRIED couple(s)* were claimed to be the only suitable parents, while *unmarried* and *cohabiting couple(s)*, especially *same-sex* or *HOMOSEXUAL couple(s)* were deemed unsuitable (Appendices 261- 263). *Together* occurs mainly in claims that home-sharing relatives were unfairly excluded from *civil partnership* (Appendix 264). While some ALG2 collocates of *couple(s)* and/or *relationship(s)* relate to emotional qualities (*loving/committed/caring/supportive/love*), they are not sexuality-term collocates (Appendix 224). They collocate with

## ALG2 Sexuality Term Collocates shared by Couple(s), Relationship(s), Marriage



key: BLACK CAPITALS: sexuality-term collocates linked to Relationships (Appendix 224)

RED CAPITALS: sexuality-term keyword collocates ( $p < 0.0000000000$  in **bold**)

\* sexuality-term collocates also linked to Gender (Appendix 225)

\* sexuality-term collocates also linked to Prejudice, Discrimination & Rights (Appendix 226)



*MARRIED* (heterosexual) *couples* and children's needs in adoption debates, and to familial *relationships* in *civil partnership* debates (Appendices 265-268), while *platonic* upholds the non-sexual nature of the latter (Appendix 269). As in PLG2, *sexual* collocates only with *relationship(s)* (Appendix 270), but in ALG2 13/27 lines refer to *relationship(s)* that are not *sexual* in attempts to dissociate civil partnership from (homo)*sexual relationships*. This suggests an underlying preoccupation with sexual activity.

In both corpora, the theme can be summarised as emotive: in PLG2 on behalf of unmarried and same-sex couples; in ALG2 on behalf of (heterosexual) married parents and familial relationships—categories from which they excluded lesbian and gay parents, families and extended family members.

\*   \*   \*

The prominence of the second theme, Gender (Appendix 225), is largely due to the shift from sexuality identifiers to gendered terms which were applied to *couple(s)*, *relationship(s)* and *partner(s)*. As the initial frequency chart shows (Appendix 94), *of the same sex* features little in LG1 and *same-sex* not at all, but in LG2 the frequencies of both soar, especially in PLG2. This appropriation of gendered terms is most linked to civil partnership. The Government Bill defined civil partnership as 'a relationship between two people of the same sex', as does the Act. The frequencies of gendered terms are much higher in the 2004 debates:

		same sex/same-sex	opposite sex/opposite-sex
PLG2	Lord Lester's CP Bill 2002	7 + 25 = 32	6 + 3 = 9
	Adoption 2002	18 + 61 = 79	6 + 2 = 8
	Government CP Bill 2004	25 + 350 = 375	13 + 60 = 73
ALG2	Lord Lester's CP Bill 2002	0 + 5 = 5	0 + 0 = 0
	Adoption 2002	25 + 40 = 65	0 + 0 = 0
	Government CP Bill 2004	31 + 136 = 167	9 + 13 = 22

The higher PLG2 frequency suggests *same-sex* was used to deflect an opposing focus on sexuality. The PLG2 inclusive use of *unmarried couples* in adoption

debates functioned similarly. Predictably, the sexuality of *unmarried couples* was differentiated more often in ALG2 (Appendices 271-272).

The PLG2 pairings of the non-heterosexual terms (Appendix 273) follow a similar pattern to that in PLG1 in that *lesbian(s)* have little independent use, but the frequencies of the clinical terms are much lower:

PLG2	term	total	with	total paired	%paired
	LESBIAN	106	GAY/homosexual	75+2=77	72.6%
	lesbians	27	GAY/gays/homosexuals	14+7+2=23	85.2%
	lesbianism	0			
	GAY	349	LESBIAN/lesbians	75+14=89	25.5%
	gays	14	lesbians	7	50%
	homosexual	129	LESBIAN	2	1.6%
	homosexuals	33	lesbians	2	6.1%
	homosexuality	56			

Excluding the 24 unpaired uses of *gay people* and two of *homosexual people* from the totals little affects the imbalance, but 13 uses of *gay men and women* suggest *gay* was becoming more used as an inclusive adjective. If so, this may account for the lower percentages of *lesbian* and *gay* pairings in PLG2, though the higher pairings of *lesbians* and *gays* suggest a gender distinction was maintained in the nouns. Despite the uncertainty, a gender imbalance remains and suggests the focus on non-heterosexuality was still inclined towards men. This is supported by the more balanced pairings of *MEN/women* and *male/female* (Appendix 274):

PLG2	term	total	with	total	%paired	sexuality identified	%	no.paired
	women	78	men	29	37.2%	women	15/78	19.2% (14 paired)
	MEN	79	women	29	36.7%	MEN	37/79	46.8% (14 paired)*
	female	25	male	6	24%	female	8/25	32% (3 paired)
	male	27	female	6	22.2%	male	10/27	37% (3 paired)**

\* although 14 identifications are paired with women, 15 others are paired with lesbians

\*\* although three identifications are paired with female, one other is paired with lesbian

The frequencies and pairings of these terms are almost equal, plus *MEN* is only a PLG2 keyword because the ALG2 frequency is very low (see below). *MEN* have their sexuality identified more often than *women*, but the difference is smaller

than in PLG1 (Appendices 275-276). As in PLG1, *male* and *female* are more often sexualised (Appendices 277-278), but less so via the clinical terms. Nevertheless, negativity survives in the lines for *male* via references to *prosecuting*, *fear*, *sexual activity* and *prisoners*, albeit in critical contexts.

The ALG2 pairings of the non-heterosexual terms (Appendix 279) also follow a similar pattern to that in ALG1, but with proportionately higher uses of the clinical terms and fewer uses of *lesbian(s)* and *gay(s)*:

ALG2	term	total	with	total paired	%paired
	lesbian	21	gay/HOMOSEXUAL	14+3=17	81%
	lesbians	10	gay/gays/homosexuals	2+3+2=7	70%
	lesbianism	1			
	gay	124	lesbian/lesbians	14+2=16	12.9%
	gays	7	lesbians	3	42.9%
	HOMOSEXUAL	176	lesbian	3	1.7%
	homosexuals	27	lesbians	3	11.1%
	homosexuality	31			

The imbalance of these pairings supports an ongoing focus on non-heterosexual men. Over half the pairs occur in adoption debates in arguments against same-sex parenting, while those that occur in civil partnership debates degrade lesbian and gay partnership recognition in favour of cohabiting relatives.

The ALG2 frequencies of *men/women* and *male/female* (Appendix 280) are comparatively low with an unexpected inversion in the case of *women* and *men*:

ALG2	term	total	with	total	%paired	sexuality identified	%	no.paired
	women	22	men	5	27.7%	women	1/22	4.5% (1 paired)
	men	9	women	5	55.6%	men	4/9	44.4% (1 paired)*
	female	13	male	7	53.8%	female	5/13	38.5% (5 paired)
	male	17	female	7	41.1%	male	7/17	41.2% (5 paired)**

\* although one identification is paired with women, two others are paired with lesbians

\*\* although five identifications are paired with female, one other is paired with lesbian

Over half the pairs occur in adoption debates, mainly in idealisations of married (heterosexual) parenting. This is further illustrated in the lines for *husband and wife*, *a man and a woman*, and *mother and FATHER* (Appendix 281), which

position the protection of gender boundaries as a major factor underlying ALG2 resistance to the proposals and as integral to the privileging of heterosexuality. By contrast, the PLG2 lines for *a mother and a father, a man and a woman* and *husband and wife* (Appendix 282) occur mainly in concessions to heterosexual parenting while defending alternatives, or in arguments supporting legal parity for civil partners and married couples.

The low ALG2 frequency of *men* requires comment. The independent uses of *women* are increased by references to the Women and Equality Unit/Deputy Minister and by the use of *women* in generalised examples linked to cohabitation and pension contributions where *women's* heterosexuality is assumed (Appendix 283). The lines for *men* are more paired and occur mostly in arguments against same-sex parenting. Similarly, 15/17 lines for *male* and 11/13 for *female* occur in adoption debates, where sexuality is identified mostly via the clinical terms (Appendix 284). Children's believed needs for *male and female role models* or a *male and female parent* is asserted in eight lines, while the equal worth of *male-male/male-female/female-female* relationships is rejected in three.

The focus on gender in PLG2 and ALG2 functions differently to that in Comparison 1. Although the uses of non-heterosexual terms still incline towards men in both corpora, the reduced focus marks a departure from the earlier overt preoccupation with *homosexual acts*. In PLG2, the gendered terms occur mainly in equality arguments but, as in PLG1, the gender binary itself was completely taken for granted. As Baker (2006: 19) argues "Sometimes what is not said or written is more important than what is there". The ALG2 uses of gendered terms occur primarily in arguments idealising heterosexual marriage and parenting which mark the preservation of gender divisions as an underlying concern. As noted in Comparison 1, the protection of gender boundaries is fundamental to the cluster of beliefs that constitute homophobia.

The third theme, Prejudice, Discrimination and Rights (Appendix 226), is also focused on relationships; employment and education feature little. While in Comparison 1 *heterosexual/heterosexuals/heterosexuality* were less used and more collocated with the clinical terms, here the pattern of collocates differs:

PLG2	term	Collocates/Frequency (%)		ALG2	term	Collocates/Frequency (%)	
	homosexual	15/129	(11.6%)		HOMOSEXUAL	12/176	(6.8%)
	heterosexual	15/159	(9.4%)		heterosexual	12/71	(16.9%)
	homosexuals	0/33			homosexual	0/27	
	heterosexuals	0/19			heterosexuals	0/5	
	homosexuality	0/56			homosexuality	3/31	(9.7%)
	heterosexuality	0/1			heterosexuality	3/3	(100%)

In ALG2, the proportionately lower frequencies of *heterosexual(s)* and paired use of *heterosexual(ity)* support the category's continued taken-for-granted status. In PLG2, the higher frequencies and less-paired use of *heterosexual* suggests a less taken-for-granted view, but this is modified by other pairings:

PLG2	term	Collocates/Frequency (%)		ALG2	term	Collocates/Frequency (%)	
	LESBIAN	5/106	(4.7%)		lesbian	0/21	
	heterosexual	5/159	(3.1%)		heterosexual	0/71	
	GAY	14/349	(4%)		gay	0/124	
	heterosexual	14/159	(8.8%)		heterosexual	0/71	
	same-sex	*16/488	(3.3%)		same-sex	*5/237	(2.1%)
	heterosexual	*16/159	(10.1%)		heterosexual	*5/71	(7%)
	same-sex	*30/488	(6.2%)		same-sex	*9/237	(3.8%)
	opposite-sex	*30/90	(33.3%)		opposite-sex	*9/23	(39.1%)

*\*collocates counted in concordance lines where same-sex/same sex is paired with heterosexual or with opposite-sex/opposite sex*

In PLG2, *heterosexual* is paired with four terms (*homosexual/LESBIAN/GAY/same-sex*) and *same-sex* with two (*opposite-sex/heterosexual*), which complicates comparison with ALG2. However, while the PLG2 pairings span a range of terms, those in ALG2 remain tied to the clinical terms. As in Comparison 1, the terms are differently associated in each corpus. In PLG2, *between*, *whether* and *both* apply to sexuality terms or civil partnership (Appendix 285) in arguments that support the legal equivalence of lesbians, gay men and heterosexuals as parents

or partners. In ALG2, comparable applications of *between* and *both* (Appendix 286) occur in objections to equivalence.

As in Comparison 1, *rights* and *against* illustrate the theme. In PLG2, the L1 collocates of *rights* (Appendix 287) list:

<i>human rights</i> (70)	<i>pension rights</i> (18)	<i>accrued rights</i> (7)	<i>succession rights</i> (5)
<i>same rights</i> (21)	<i>property rights</i> (11)	<i>visiting rights</i> (6)	<i>equal rights</i> (4)
<i>legal rights</i> (20)	<i>partnership rights</i> (10)	<i>GAY rights</i> (6)	<i>prior rights</i> (4)

The lines for these collocates occur in four main arguments (Appendix 288).

Those for *human rights* co-opt a higher authority and include references to the ECvHR, the Human Rights Act, the ECtHR and the JCHR. Those for *same rights*, *legal rights* and *equal rights* occur in equality arguments, as do some lines for *partnership rights*. Other lines for *partnership rights* and most lines for *gay rights* occur in denials that civil partnership undermined marriage; others occur in arguments supporting next-of-kin rights for civil partners.

In ALG2, the L1 collocates of *rights* (Appendix 289) list:

<i>human rights</i> (40)	<i>same rights</i> (13)	<i>legal rights</i> (6)	<i>kin rights</i> (4)
<i>gay rights</i> (14)	<i>property rights</i> (7)	<i>pension rights</i> (5)	<i>HOMOSEXUAL rights</i> (3)

The lines for these collocates highlight five main concerns (Appendix 290). Those for *human rights* and *property rights* occur mainly in adoption debates: in fears about how *human rights* had been/might be interpreted, or the lack of legal control over unmarried-couple relationship breakdown. Those for *gay rights* and *HOMOSEXUAL rights* occur in dismissals or denigrations of what were cast as undeserved rights. Those for *same rights* and *legal rights* occur in complaints about the similarity of civil partnership to marriage. Those for *pension rights* and *kin rights* occur in attempts to extend civil partnership to cohabiting relatives.

In PLG2 the R1 collocates of *against* (Appendix 291) list:

<i>against GAY</i> (5)	<i>against homosexuality</i> (4)	<i>against CIVIL</i> (3)
<i>against unmarried</i> (4)	<i>against couples</i> (3)	<i>against marriage</i> (3)

Apart from *against marriage*, the lines for these collocates (Appendix 292) occur in arguments against prejudice or discrimination. Those for *against GAY*, *against homosexuality* and *against CIVIL* concern prejudice against gay people in various debates. Those for *against unmarried* and *against couples* concern discrimination against unmarried couples in adoption debates. Of those for *against marriage*: one notes some heterosexual couples oppose marriage, the other refutes the ALG2 contention that civil partnership undermined marriage.

Although *AGAINST* is an ALG2 keyword, the R1 collocates (Appendix 293) reveal only *AGAINST family* and *AGAINST ordinary*. The lines for these collocates (Appendix 294) cast the exclusion of cohabiting relatives from civil partnership as discrimination *AGAINST ordinary family members*, that is ‘heterosexual’ family members. The lines for *normal* and *natural* support this (Appendix 295). Where *normal* applies to *MARRIAGE*, *family relationships*, *population*, *relationship*, *mixed audience*, *way* and *lawyers*, and where *natural* applies to *parents*, *household* and indirectly to *parent*, both function as a metaphor for heterosexual—as opposed to ‘unnatural’ and ‘homosexual’. In addition, the lines for *unnatural* apply to *sexual practices*. Their occurrence in a civil partnership debate further suggests that a subterranean preoccupation with (homo)sexual acts lurked behind opposition to the Bill. Overt opposition was based on the claimed discrimination *AGAINST* (non-sexual) *family relationships* (Appendix 296).

While PLG2 speakers presented the non-recognition of same-sex couples as a product of discrimination and prejudice, ALG2 speakers tendentially shifted that discrimination onto familial cohabitees. As van Dijk (1991: 199) argues, “the official norm of non-discrimination and tolerance [...] is rather powerful”, thus the ALG2 claims of discrimination against a socially accepted group were a means to marginalise same-sex couples.

Relationships are central to the three themes in Comparison 2. There is also a notable lack of overtly negative themes. The battles were fought largely on euphemistic and emotive grounds. Prominent in PLG2 is the inclusive use of *unmarried* and gender-aligned *same-sex couples* alongside an emotive focus on relationship qualities. In ALG2 speakers' personalised statements, adherence to clinical terms and subversion of discrimination in civil partnership debates mark entrenched resistance to reform, albeit by a determined minority of peers and MPs. This begs the question of why civil partnership was so fiercely resisted. A plausible explanation is that legal recognition of same-sex partners challenged a core constituent of homophobia: it would sanction the believed 'unnatural' sexual practices underlying the protection of male gender boundaries. That this was not argued directly indicates that the age-old "official ideology" (Voloshinov 2012: 145-7) was being driven underground in public discourse.

### **PLG1+2 and ALG1+2**

Comparison 3 is approached via the keywords and collocates of the 15 sexuality terms in their lexical categories: adjectives, nouns for people and abstract nouns. The six adjectives account for the largest proportions of both corpora, but with wider use and more keyword collocates in PLG1+2:

	PLG1+2 Adjectives	ALG1+2 Adjectives
1.	GAY (586, 0.14% KW)	HOMOSEXUAL (510, 0.20% KW)
2.	same sex /same-sex (496, 0.12%)	same sex/same-sex (243, 0.09%)
3.	homosexual (481, 0.12%)	sexual (238, 0.09%)
4.	sexual (372, 0.09%)	gay (201, 0.08%)
5.	heterosexual (260, 0.06%)	heterosexual (130, 0.05%)
6.	LESBIAN (193, 0.05% KW)	lesbian (69, 0.03%)

*totals include adjectives with attached dash ignored by concordancing software*

Although *sex* sometimes functions as an adjective, as in *sex education* or *sex discrimination*, in such compounds it refers either to sexual acts or gender and so



is more conveniently analysed with the abstract nouns.

In PLG1+2 *LESBIAN* and *GAY* are keywords—*GAY* with  $p < 0.0000000000$  (Appendix 297). In ALG1+2 *HOMOSEXUAL* is the top keyword with this p-value (Appendix 298). The keyword collocates for each adjective (Appendices 299-304 for PLG1+2 and 305-310 for ALG1+2—collated Appendices 311-316) highlight prominent features of each corpus. A striking contrast is between *I* in ALG1+2 and *THEY/ THEIR* in PLG1+2. All three collocate with all six adjectives, plus *I* and *THEIR* have  $p < 0.0000000000$ . This supports PLG1+2 speakers' objective focus on the people affected by the proposals and ALG1+2 speakers' subjective focus on their own views. Other keyword collocates support this. In PLG1+2 *COUPLES*, *RIGHTS*, *CHILDREN*, *PARTNERS*, *CHILD* and *MEN* collocate with at least four adjectives. In ALG1+2, *AM* collocates with four adjectives and *MY* with three, plus *AM* has  $p < 0.0000000000$ . While PLG1+2 keywords collocate widely with the adjectives, ALG1+2 keywords do so only with *HOMOSEXUAL*.

\* \* \*

The R1 collocates of each adjective show the nouns to which they apply. In both corpora, *same-sex* (Appendices 317-318) applies to nouns salient in civil partnership and adoption debates. Eight nouns are shared:

<i>couples</i>	<i>relationships</i>	<i>partnerships</i>	<i>partners</i>	<i>marriage</i>	<i>relationship</i>	<i>adoption</i>
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In PLG1+2, *COUPLES*, *PARTNERS* and *PARTNER* are keywords (Appendix 311) which further supports speakers' focus on people.

Over a third of the R1 nouns to which *homosexual* applies refer to sexual acts in both corpora (Appendices 319-320): 9/21 in PLG1+2 and 12/34 in ALG1+2, seven of which are shared:

<i>acts</i>	<i>activity</i>	<i>behaviour</i>	<i>act</i>	<i>conduct</i>	<i>relations</i>	<i>sex</i>
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Two more nouns refer to sexual acts in PLG1+2 (*abuse* and *offences*) and five

more in ALG1+2 (*practices/ ACTIVITIES/ practice/ experience/ consent*). The total collocate frequencies are proportionately higher in ALG1+2. These nouns link *homosexual* to the heritage of sin and crime (Chapter 1). Fewer nouns link to relationships: 5/26 in PLG1+2 and 7/36 in ALG1+2, four of which are shared:

<i>couples</i>	<i>relationships</i>	<i>couple</i>	<i>relationship</i>
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In ALG1+2, the application of *HOMOSEXUAL* to three more nouns (*marriage/ partnerships/ partners*) plus the consistently higher frequency of R1 relationship nouns, imposes a clinical view on the *relationships*. The clinical association in PLG1+2 is mitigated by *love* among the nouns and by *RIGHTS*, *RECOGNITION*, *LOVING* and *RESPECT* among the keyword collocates (Appendix 312), but in ALG1+2 the potentially mitigating *HOMOSEXUAL rights* occurs in denials or dismissive asides (Appendix 321). A similarity between the two corpora relates to gender. *Homosexual* applies to *men* and *man* in both, but not women. *Gay* also applies to *men* but not directly to women. This supports a preoccupation with non-heterosexual men, albeit defensive in PLG1+2. A notable difference between the corpora is the ALG1+2 application of *HOMOSEXUAL* to *lobby*, *fraternity*, *tendencies* and *LIFESTYLE*, which occur mainly in critical statements (Appendix 322), while *fraternity* adds to the focus on men.

The contrast between *homosexual* and *heterosexual* is considerable. The keyword collocates for *heterosexual* are fewer (Appendices 312-313), especially in ALG1+2. Many collocates for *homosexual* in both corpora link to debate topics, as do many PLG1+2 collocates for *heterosexual*, but in ALG1+2 the collocates for *heterosexual* do not. This dislocates *heterosexual* from ALG1+2 speaker concerns. The R1 nouns reveal a reversal of the pattern for *homosexual* (Appendices 323-324). Bar *acts* and *experience* in PLG1+2 and *activity* in ALG1+2, *heterosexual* is not linked to sexual acts. Over half the nouns refer to relationships: 8/13 in PLG1+2 and 5/6 in ALG1+2, five of which are shared:

<i>couples</i>	<i>relationships</i>	<i>relationship</i>	<i>marriage</i>	+ <i>unmarried (couple(s)/ partner(s))</i>
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The PLG1+2 nouns also include *couple* and *partners*, plus *married (couple(s))*.

This reversal illustrates the polarised values attached to the two categories. In addition, the collocates of *heterosexual* and *homosexual/gay* are unbalanced:

PLG1+2 term	Collocates/Frequency (%)		ALG1+2 term	Collocates/Frequency (%)	
homosexual	40/481	(8.3%)	HOMOSEXUAL	27/509	(5.3%)
heterosexual	40/260	(15.4%)	heterosexual	27/130	(20.8%)
GAY	14/585	(2.4%)	gay	0/201	
heterosexual	14/260	(5.4%)	heterosexual	0/27	
GAY	12/585	(2.1%)	gay	0/201	
straight	12/14	(85.8%)	straight	0/2	

In both corpora, *heterosexual* functions—directly or indirectly—as a comparator more than the collocates indicate (Appendices 325-326), which further supports the taken-for-granted status of heterosexuality.

The uses of *gay* are more differentiated in each corpus. In PLG1+2, *GAY* applies to twice as many R1 nouns (Appendices 327-328) and has four times as many keyword collocates as ALG1+2 (Appendix 314). In addition, most PLG1+2 keyword collocates link to prominent debate topics (Civil Partnership, Adoption, Clause 28), but only two do so in ALG1+2: *SCHOOLS* and *HARINGEY* (Clause 28). Prominent among the ALG1+2 keyword collocates are *I* and *AM*, while those in PLG1+2 include *EQUALITY*, *PREJUDICE* and *RESPECT*. Of the R1 nouns to which *gay* applies, seven are shared:

<i>men</i>	<i>couples</i>	<i>people</i>	<i>marriage</i>	<i>rights</i>	<i>community</i>	<i>couple</i>
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In both corpora, *gay* applies to more nouns linked to relationships than to other themes. In PLG1+2 additional relationship collocates: *relationship(s)/ PARTNER/ partnerships*, contrast with *marriages* in ALG1+2. No ALG1+2 nouns link to parenting, but in PLG1+2 *GAY* applies to *parents*, *adoption(s)* and *adopters*, plus *CHILDREN* and *CHILD* are keyword collocates. As well as *men* (discussed with

*homosexual*), two more nouns are collocates in both corpora (*rights/community*), but occur in opposing arguments: variously defended in PLG1+2 and variously dismissed or denigrated in ALG1+2 (Appendices 329-330). That *gay community* is less frequent than *homosexual community* is predictable in ALG1+2, but not in PLG1+2. The imbalance relates to a shift between periods: in LG1 *homosexual community* was more used (Appendix 331), while *gay community* evenly spanned the periods, albeit with few uses in ALG1+2. Similarly, PLG speakers used *gay rights* more in LG1 to defend *gay rights* against Clause 28; ALG speakers used it more in LG2 to claim only *gay rights groups/supporters/activists* wanted the proposed changes—notably the repeal of Section 28. In both corpora, *lesbian* applies to *community* and *rights* only where paired with *gay* (Appendix 332), suggesting lesbians were not viewed as a distinct *community* in need of *rights*. In addition, the lesbian visibility in these pairings was mostly in LG1, suggesting greater invisibility in LG2 (see Comparison 4).

In both corpora, *lesbian* has the fewest keyword collocates (Appendix 315) and the fewest R1 nouns (Appendices 333-334), particularly in ALG1+2. The frequent pairing of *lesbian* with *gay* and its periodic pairing with *homosexual* give it little independent use. In addition, its keyword collocates in both corpora are also among those for *gay*. The R1 nouns reveal a similar pattern. In ALG1+2 all three nouns are among those for *gay*. In PLG1+2, 3/9 nouns are independent of those for *GAY*: two are gendered (*women, mothers*), while *PARTNERS* is a keyword collocate for both *LESBIAN* and *GAY*. Of the ALG1+2 nouns, only *rights* is not among those in PLG1+2, but in PLG1+2 *RIGHTS* is a keyword collocate for both *LESBIAN* and *GAY*. In both corpora, the associations of *lesbian* are almost wholly appendaged to those for *gay*. This exemplifies *lesbian* invisibility (Baker 2008: 151) and further supports speakers' focus on men. However, and importantly, the associations of *lesbian* and *gay*, unlike *homosexual*, are unrelated to sexual acts or offences which distances these self-chosen public identities from the

heritage of sin, crime and pathology.

The last adjective, *sexual*, is more negatively associated. Only the PLG1+2 keyword collocates clearly link to debate topics (Appendix 316). The R1 noun to which *sexual* mostly applies in both corpora (Appendices 335-336) is *orientation* (discussed with the abstract nouns below). Over half the nouns link to *sexual* acts: 12/19 in PLG1+2 and 9/15 in ALG1+2, of which seven are shared:

<i>offences</i>	<i>activity</i>	<i>relations</i>	<i>behaviour</i>	<i>intercourse</i>	<i>matters</i>	<i>act.</i>
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Four more link to sexual acts in PLG1+2 (*abuse/acts/conduct/encounters*) and two more in ALG1+2 (*experience/deviation*). However, unlike the R1 nouns for *homosexual*, the frequencies in each corpus are roughly proportionate. *Offences* is the most frequent noun in both corpora and links to the 1967 Sexual Offences Act. In both corpora, *sexual* applies to *relationship(s)*, but the concordance lines reveal differences (Appendices 337-338). The lines for *sexual relationships* occur in various debates, but in the case of PLG speakers, mostly in LG1. The more numerous lines for *sexual relationship* occur mostly in civil partnership debates in conflicts over who would/should benefit from the Bill. The ALG1+2 emphasis on the *non-sexual* occurs in speakers' attempts to extend civil partnership to familial cohabitantes in which the upholding of *non-sexual* can be seen as a means to denigrate the same-sex relationships to which the Bill applied.

Similarities between the applications of these six adjectives relate to the shared debate topics. While the adjectives' associations were largely determined by speaker allegiance and debate context, some associations transcend context and adhere to the adjectives more distinctly than others. Notable among these is the association of *homosexual* with sexual acts and thus sin and crime, and the association of *heterosexual* with unmarked relationships. Also the association of *homosexual* and *gay* with men alongside the dependent use of *lesbian* illustrates speakers' preoccupation with men. Applicable to all associations are the highly

significant keyword collocates, *I* in ALG1+2 and *THEY/THEIR* in PLG1+2, which identify the speakers' views as personal and objective respectively.

\*   \*   \*

The nouns for people were the least used of the 15 sexuality terms, but their total usage is proportionately slightly greater in PLG1+2 which supports speakers' focus on the people affected by the proposals:

	PLG1+2 Nouns for People	ALG1+2 Nouns for People
1.	homosexuals (199, 0.05%)	HOMOSEXUALS (185, 0.07% KW)
2.	lesbians (79, 0.02%)	lesbians (30, 0.01%)
3.	heterosexuals (52, 0.01%)	heterosexuals (17, <0.01%)
4.	gays (35, <0.01%)	gays (11, <0.01%)

*totals include nouns with attached dash ignored by concordancing software*

Compared with the adjectives, the nouns' associations are less accessible. Most adjacent collocates are grammar words, plus there are few keyword collocates (Appendices 339-342 for PLG1+2 and 343-346 for ALG1+2—collated Appendices 347-350). Notable among the keyword collocates is *I* in ALG1+2 and *THEY* in PLG1+2, which collocate with *homosexuals*, *lesbians* and *heterosexuals*, but not *gays*. In PLG1+2, *THEIR* collocates only with *homosexuals*. Nevertheless, the personalised view of ALG1+2 and objective focus of PLG1+2 is maintained.

Three-word clusters give the clearest indication of the nouns' associations (Appendices 351-352). In both corpora those for *homosexuals*, *lesbians* and *gays* overlap, but those for *heterosexuals* are unrelated apart from its pairing with *homosexuals*. Pairings of *homosexuals* with *lesbians*, and *lesbians* with *gays* feature in both corpora, plus *discrimination* and *against* recur in clusters for all three nouns. In PLG1+2, *discrimination* and prejudice are treated as problems (Appendix 353); in ALG1+2, *discrimination* is denied (Appendix 354). Whether ALG1+2 speakers believed their position did not constitute discrimination, or were distancing themselves from it being seen as such is indeterminable; either way they were supporting continued discrimination in contexts where it was

challenged. *Discrimination* and *against* are more linked to *homosexuals* than to *lesbians* or *gays* in both corpora and most lines occur in Clause 28 debates.

In the clusters for *lesbians* and *gays*, *young* recurs in PLG1+2 and *adopt* in ALG1+2. In PLG1+2, problems faced by *young lesbians* and *gays* are the focus (Appendix 355); the lines occur mainly in LG1 and Clause 28 debates. Additional lines for *young homosexuals* and *young gay men* occur mainly in age of consent debates. In ALG1+2, the ability of *lesbians* and *gays* to *adopt* or *foster* children is rejected (Appendix 356); the lines occur mostly in LG2 and concern speakers' opposition to non-heterosexual parenting in adoption debates. The idea that lesbians and gay men should not bring up children is particularly negative. One reason for this is evident in the lines: protection of the heterosexual family and marriage. However, the subtext is sexual and recalls the tendentious 'protection of children' arguments in Clause 28 debates. The conflation of sexual identity and sexual acts in ALG1 shows *homosexuals* (less so *gays* or *lesbians*) were seen as sexual beings in a way that *heterosexuals* were not. This view allows spectres of child sexual abuse to loom fancifully large. The subtext was tackled in PLG1+2 where *abuse* collocates with *heterosexual* and *sexual* as well as *homosexual* (Appendices 301-303), but not *gay(s)* or *lesbian(s)*. The ALG1+2 subtext relates less to the heritage of sin and crime, when the state took no responsibility for children, or even to the Wolfenden era when the press cast 'homosexuals' as corruptors of youth (Pearce 1981: 312-314) but child sexual abuse in families was taboo. It links more to the surfacing of familial abuse via 1980s feminist and survivor campaigns (Weeks 2011: 128) and professionals' reports of its incidence (Evans 1993: 209-210). Arguably, the scares engendered by subsequent media panics became yet another negative peg on which to hang non-heterosexuality.

The final noun for people, *heterosexuals*, was proportionately more used in PLG1+2, but in both corpora the frequencies are comparatively low and thus the proportion of reciprocal collocates with *homosexuals* higher:

PLG1+2 term	Collocates/Frequency (%)		ALG1+2 term	Collocates/Frequency (%)	
homosexuals	11/199	(5.5%)	HOMOSEXUALS	4/185	(2.2%)
heterosexuals	11/52	(21.2%)	heterosexuals	4/17	(23.5%)

Although only *homosexuals* is a collocate (Appendix 350), about half the lines for *heterosexuals* in each corpus link to a non-heterosexual term (Appendices 357-358). Comparisons are prominent in both. In ALG1+2 the lines are peppered with negative terms linked to stereotypical sexual behaviours, which serve to polarise *HOMOSEXUALS* in arguments against legal parity:

<i>indulged</i>	<i>bad</i>	<i>buggery</i>	<i>privacy</i>	<i>problem</i>	<i>damaging</i>
<i>promiscuity</i>	<i>normally</i>	<i>offence</i>	<i>angry</i>	<i>dangerous</i>	<i>sickness</i>

The exception (line 1) is a quote from a spoof highlighting prejudice in the GLC Charter (1985: 32), which was seen as an attack on heterosexuality. In PLG1+2, just under half the lines occur in anti-discrimination arguments, while a quarter occur in arguments questioning the superiority of heterosexuality, five of which highlight sexual abuse by *heterosexuals*.

Most uses of *heterosexuals* in both corpora were defensive. While PLG1+2 speakers were defending *homosexuals/lesbians/gays* against discrimination, ALG1+2 speakers were, in negatively polarising *HOMOSEXUALS*, defending an idealised heterosexuality against perceived loss of status.

\*   \*   \*

The abstract nouns account for the second highest proportions of each corpora, but the usage is proportionately slightly greater in PLG1+2:

	PLG1+2 Abstract Nouns	ALG1+2 Abstract Nouns
1.	SEX (800, 0.19% KW)	sex (397, 0.15%)
2.	homosexuality (449, 0.11%)	HOMOSEXUALITY (390, 0.15% KW)
3.	SEXUALITY (119, 0.03% KW)	sexual orientation (62, 0.02%)
4.	sexual orientation (113, 0.03%)	sexuality (31, 0.01%)
5.	heterosexuality (16, <0.01%)	heterosexuality (23, <0.01%)

*totals include nouns with attached dash ignored by concordancing software*



The pattern of keyword collocates (Appendices 359-363 for PLG1+2 and 364-368 for ALG1+2—collated Appendices 369-373) is similar to those for the other lexical categories. In ALG1+2, *HOMOSEXUALITY* has most collocates. In PLG1+2, *SEX*, *SEXUALITY* and *sexual orientation* collocate more widely. *Heterosexuality* has few collocates in either corpus. In PLG1+2, *THEIR/THEY* collocate with 4/6 terms; in ALG1+2, *I* collocates with 3/6. This extends the ALG1+2 personalisation and PLG1+2 objectivity to the abstract nouns.

The PLG1+2 keyword *SEX* was the most used term overall and refers either to gender or sexual acts. The L1 and R1 collocates enable identification of its reference via concordance checks of the collocates (Appendices 374-375 for PLG1+2 and 376-377 for ALG1+2). In both corpora, there are more references to gender, but in PLG1+2 these are proportionately higher; references to sexual acts are higher in ALG1+2. The PLG1+2 keyword collocates (Appendix 369) have more links to debate topics: mainly civil partnership and adoption. In ALG1+2 only *SCHOOLS* and *TAX* link to debates: Clause 28 and civil partnership respectively, but *I* is again prominent.

The inclusion of the ALG1+2 keyword *HOMOSEXUALITY* in the wording of Clause 28 links it strongly to related debates:

PLG1+2 Debates	Frequency	(%)	ALG1+2 Debates	Frequency	(%)
Clause 28	338/387	(87.3%)	Clause 28	292/356	(82%)
Section 28 repeal	19/56	(33.9%)	Section 28 repeal	20/31	(64.5%)
Total	357/443	(80.6%)	Total	312/387	(80.6%)

Over 80% of its uses in both corpora link to the Clause and Section repeal. The term's L1 collocates offer the clearest guide to speakers' concerns (Appendices 378-379). Clause related collocates are prominent in both corpora:

<i>promote</i>	<i>promoting</i>	<i>promoted</i>	<i>promotes</i>	<i>teaching</i>	<i>advocating</i>
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In PLG1+2 these verbs occur in concessions that promoting *homosexuality* was

wrong and arguments against the alleged promotion, but both the allegation and negativity are reinforced by unshared ALG1+2 collocates:

<i>abet</i>	<i>prohibit</i>	<i>propagate</i>	<i>proselytising</i>	<i>advocate</i>	<i>overt</i>
<i>glamorise</i>	<i>practice</i>	<i>propagating</i>	<i>sell</i>	<i>open</i>	<i>glamorising</i>
<i>encourage</i>	<i>promiscuous</i>	<i>rampant</i>	<i>condoned</i>	<i>portray</i>	

As well as alluding (Wodak 2007: 214) to the promotion of sexual acts, *open* and *overt* invoke the privacy conditions of the 1967 Act and imply *HOMOSEXUALITY* must be kept hidden. The part the term played in maligning Labour councils is evident in the ALG1+2 keyword collocates (Appendix 370):

<i>LOCAL</i>	<i>MATERIAL</i>	<i>PROHIBITION</i>	<i>HOMOSEXUALS</i>
<i>TEACHING</i>	<i>SCHOOLS</i>	<i>IMAGES</i>	<i>COUNCILS</i>
<i>AUTHORITIES</i>	<i>HOMOSEXUAL</i>	<i>LIFESTYLE</i>	

In the PLG1+2 keyword and L1 collocates, resistance appears only in *RESPECT*, *support*, *understanding* and *recognising*. This indicates the strength of residual homophobic beliefs that had been called upon in 1980s press campaigns.

*Heterosexuality* is the least used noun, but also links mainly to Clause 28:

PLG1+2 Debates	Frequency (%)	ALG1+2 Debates	Frequency (%)
Clause 28	13/15 (86.7%)	Clause 28	12/19 (63.2%)
Section 28 repeal	1/1 (100%)	Section 28 repeal LG2	3/3 (100%)
Total	14/16 (87.5%)	Total	15/22 (68.2%)

*Heterosexuality* and *homosexuality* are reciprocal collocates in both corpora (Appendices 360/363 and 365/368). The lines for *heterosexuality* (Appendices 380-381) show that 9/16 in PLG1+2 and 17/23 in ALG1+2 include a non-heterosexual term, plus comparison is implied in the other lines. This lack of independent consideration further illustrates *heterosexuality*'s taken-for-granted status. The categories are particularly polarised in ALG1+2:

1. equation of 'unnatural' homosexuality with 'natural' *heterosexuality* is eschewed
2. *heterosexuality* is seen as denigrated and attacked by attempts to expose prejudice
3. accepting homosexuality as an alternative to *heterosexuality* is seen as a dangerous distortion

The PLG1+2 lines occur in more diffuse arguments and include:

1. references to the pervasive culture of *heterosexuality* in response to allegations of promotion;
2. criticisms of the polarisation of homosexuality and *heterosexuality*;
3. arguments against the promotion of any sexuality;
4. arguments maintaining that homosexuality cannot be promoted;
5. a suggestion that male chauvinism is more the norm than *heterosexuality*;
6. a correction of the ALG1 interpretation of heterosexism as an attack on *heterosexuality*.

That in both corpora all LG2 uses of *heterosexuality* occur in the Section 28 repeal, ties its use to that of *homosexuality* in the Section's wording. Alongside *heterosexuality*'s lack of independent consideration this suggests, despite the tide of reforms, little progress had been made in evaluating its privileged status or seeing it as a socially constructed phenomenon. It served as the benchmark for equality and its status remained unquestioned.

The remaining nouns, *sexuality* and *sexual orientation*, were more used in PLG1+2. Though the reference of both terms appears to be inclusive, both were used largely in reference to lesbian and/or gay sexualities. In PLG1+2 (Appendix 382), *SEXUALITY* refers to lesbian and/or gay sexualities in 65/119 lines (54.6%) of which 36 (55.4%) include the keyword collocates *THEIR/THEY*. This supports the PLG1+2 focus on the people affected by the proposals. Accordingly, *THEIR/THEY* occur in only 19/49 lines (38.8%) where the term's reference is ambiguous or inclusive. In ALG1+2 (Appendix 383), *sexuality* refers to lesbian and/or gay sexualities in 8/31 lines (25.8%) which include negative associations:

<i>propagation of active sexuality</i>	<i>aggressively paraded their lifestyle</i>	<i>if allowed to exist openly</i>
<i>flaunted their sexuality</i>	<i>sexuality is not a benign trait</i>	

The 20/31 ALG1+2 lines (64.5%) where the reference is ambiguous or inclusive are less negatively associated. The term's scant references to heterosexuality in both corpora highlight its taken-for-granted status. As van Dijk argues (2006b: 164), taken-for-granted 'knowledge' is "expressed only when there is ambiguity, a

risk of misunderstanding, or when an element of context needs to be specifically focused upon". Here, 2/5 PLG1+2 and 3/3 ALG1+2 references to *heterosexuality* occur in quotes the speaker disagrees with.

The lines for *sexual orientation* follow a similar pattern. In PLG1+2 (Appendix 384), 68/113 lines (60.2%) refer to lesbian and/or gay sexualities, but *THEIR/ THEY* occur in only 19/68 lines (29.4%), comparable to the 11/41 lines (29.3%) with ambiguous or inclusive reference. In ALG1+2 (Appendix 385), 34/62 lines (54.8%) have ambiguous or inclusive reference, but the 28/62 referring to lesbian and/or gay sexualities (45.2%) are less negative than those for *sexuality*. References to heterosexuality are scarce: 4/113 in PLG1+2, none in ALG1+2. An added dimension of *sexual orientation* is its use in legislative proposals, notably Baroness Turner's third (1996) attempt to extend the Sex Discrimination Act to *sexual orientation* and the 2003 Employment Equality Regulations. This links the term to anti-discrimination measures and awards it a degree of officiality. The term's use in such official contexts may be significant in terms of Waites (2009: 142-7) argument that the focus of *sexual orientation* on partner gender and its attendant erasure of bisexuality maintains the homo/hetero and gender binaries.

The apparent inclusivity of *sexuality* and *sexual orientation* is little supported by their use. The greater PLG1+2 use of *SEXUALITY* positions it as the more positive term, but with no consistent distinction in its reference from that of *sexual orientation*. In these debates at least they functioned either as terms for lesbian and/or gay sexualities or as non-specific terms where heterosexuality could not be assumed. That heterosexuality was virtually excluded from the terms' specific reference adds to its lack of independent consideration which in turn leaves its institutionalised status intact.

\* \* \*

The most salient feature of this third comparison is the magnified contrast between the keyword collocates *I* in ALG1+2 and *THEIR/ THEY* in PLG1+2. In

terms of priorities, what mattered to ALG1+2 speakers was their own view, while what mattered to PLG1+2 speakers was people, notably the lesbians and/or gay men affected by the legislative proposals. Also notable is ALG1+2 speakers' fear of an increase in *HOMOSEXUALITY* in Clause 28 debates and their protection of the gender binary in adoption and civil partnership debates. While there is no necessary relationship between gender and sexuality, "gender norms are very strongly linked to sexuality norms" (Baker 2008: 9). The importance ALG1+2 speakers placed on the gender binary in the privileging of *heterosexuality* deeply implicates it in the heritage of homophobic beliefs (Chapter 1).

### LG1 and LG2

Comparison 4 examines the two periods. LG1 and LG2 have four-times more keywords than PLG1+2 and ALG1+2, plus >25% of the keywords in LG1 and >30% in LG2 have  $p < 0.0000000000$  (Appendices 386-387). This is partly due to the diverse debate topics in each period, but differences in sexuality-term use are also salient. An obvious difference is in the sexuality-term keywords:

LG1	<i>HOMOSEXUALITY</i>	<i>HOMOSEXUALS</i>	<i>SEXUALITY</i>	<i>LESBIANS</i>	<i>LESBIAN</i>
	<i>HOMOSEXUAL</i>	<i>SEXUAL</i>	<i>HETEROSEXUALITY</i>	<i>HETEROSEXUALS</i>	
LG2	<i>SEX</i> (mainly used in <i>SAME-SEX</i> )				

Six LG1 keywords have  $p < 0.0000000000$  (not *LESBIAN(S)* or *HETEROSEXUALS*). In LG2, both *SAME* and *SEX* are among the top keywords with this p-value. That the LG1 keyword *I* has  $p < 0.0000000000$  requires comment as it includes PLG1. A check of its sexuality-term collocate frequencies (Appendix 388) shows those in ALG1 were generally higher when associated with a non-heterosexual term. This supports ALG1 speakers' subjective approach to non-heterosexualities within their overall propensity for personalised views.

The adjectives account for largest proportions of both corpora but with notable variations in frequency between the periods:

	LG1 Adjectives	LG2 Adjectives
1.	HOMOSEXUAL (686, 0.26% KW)	SAME-SEX/SAME SEX (726, 0.18%)
2.	SEXUAL (387, 0.15% KW)	gay (473, 0.11%)
3.	gay (314, 0.12%)	homosexual (305, 0.7%)
4.	heterosexual (160, 0.06%)	heterosexual (230, 0.05%)
5.	LESBIAN (135, 0.05%KW)	sexual (223, 0.05%)
6.	same sex (14, <0.01%)	lesbian (127, 0.03%)

*totals include adjectives with attached dash ignored by concordancing software*

The inverse frequencies of *sexual* and *same sex* in each period concur with the shift from sexuality identifiers to gendered terms. The related shift from sexual acts to couple relationships is evident in the keyword collocates (Appendices 389-394 for LG1 and 395-400 for LG2—collated Appendices 401-406).

The keyword collocates for *sexual* and *same sex* (Appendices 401-402) clearly reveal the shift from sexual acts in LG1 to couple relationships in LG2, as do each term's R1 nouns (Appendices 407-408 for LG1 and 409-410 for LG2). In LG1, *same sex* was too little used for consistent links, but the preoccupation with sexual acts between men is evident in the keyword collocates for *SEXUAL*:

OFFENCES	ACTS	HOMOSEXUAL	CONSENSUAL	ASSAULT	ANAL
ACT	MEN	ABUSE	OFFENCE	MAN	BUGGERY
ACTIVITY	MATTERS	CONSENT	HOMOSEXUALITY	AIDS	PRACTICES
BEHAVIOUR	INTERCOURSE	CONDUCT	NORMAL	DEVIATION	MALE

These collocates also feature prominently among the R1 nouns for *SEXUAL*:

OFFENCES (54)	INTERCOURSE (13)	ACT (8)	proclivity (3)	PRACTICES (3)
ACTIVITY (22)	relations (13)	CONDUCT (6)	preference (3)	pattern (3)
BEHAVIOUR (15)	MATTERS (13)	experience (5)	favours (3)	
ACTS (14)	ABUSE (9)	ASSAULT (3)	DEVIATION (3)	

The prominence of *OFFENCES* in both sets of collocates links to the 1967 Sexual Offences Act which, with *ABUSE*, *OFFENCE* and *ASSAULT*, invokes criminality.

By contrast, the LG2 keyword collocates for *sexual* focus on relationships:

<i>RELATIONSHIP</i>	<i>CHILDREN</i>	<i>COUPLE</i>	<i>COUPLES</i>	<i>FAMILY</i>	<i>HOME</i>
<i>RELATIONSHIPS</i>	<i>MARRIAGE</i>	<i>PARTNERSHIP</i>	<i>CHILD</i>	<i>LOVE</i>	<i>PARTNERS</i>

However, the R1 nouns still include *relations*, *activity*, *abuse* and *offences*, albeit with low frequencies. The LG2 collocates for *SAME-SEX* have no overtly negative associations. The keyword collocates with  $p < 0.0000000000$  include:

<i>COUPLES</i>	<i>UNMARRIED</i>	<i>COHABITING</i>	<i>TOGETHER</i>	<i>LOVE</i>	<i>ADOPTIONS</i>
<i>RELATIONSHIPS</i>	<i>PARTNERSHIP</i>	<i>CHILDREN</i>	<i>MARRY</i>	<i>STABLE</i>	<i>PARENT</i>
<i>COUPLE</i>	<i>RELATIONSHIP</i>	<i>MARRIED</i>	<i>MARRIAGES</i>	<i>ADOPTERS</i>	
<i>PARTNERSHIPS</i>	<i>MARRIAGE</i>	<i>PARTNER</i>	<i>PARENTS</i>	<i>ADOPTED</i>	
<i>PARTNERS</i>	<i>ADOPTION</i>	<i>ADOPT</i>	<i>CHILD</i>	<i>FAMILY</i>	

Many of which are also among the R1 nouns:

<i>COUPLES</i> (348)	<i>PARTNER</i> (33)	<i>MARRIAGE</i> (13)	<i>ADOPTION</i> (7)	<i>unions</i> (4)
<i>RELATIONSHIPS</i> (52)	<i>PARTNERSHIPS</i> (24)	<i>PARTNERSHIP</i> (8)	<i>PARTNER</i> (7)	<i>households</i> (3)
<i>COUPLE</i> (42)	<i>RELATIONSHIP</i> (16)	<i>MARRIAGES</i> (8)	<i>COHABITING</i> (5)	<i>ADOPTIONS</i> (3)

The contrast between the two periods is stark. The focus on couples and parents in LG2 is linked to the most debated topics (civil partnership and adoption). Yet in LG1, sexual offences/acts have no obvious connection to debates about local councils and education (Clause 28—the most debated topic), while in the age of consent and armed forces debates the issue was equality before the law in which sexual offences/acts were peripheral. This LG1 preoccupation can only be seen as an indicator of homophobic beliefs. Arguably, the use of *SAME-SEX* instead of sexuality terms in LG2 aided deflection of overt focus on sexual acts.

In LG1, the keywords *SEXUAL* and *HOMOSEXUAL* collocate reciprocally with *heterosexual* and share many keyword collocates (Appendices 401, 403-404), many of which also relate to sexual acts:

<i>ACTIVITY</i>	<i>BEHAVIOUR</i>	<i>ACTS</i>	<i>MEN</i>	<i>CONSENT</i>	<i>ABUSE</i>	<i>CONDUCT</i>
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Those shared only by *SEXUAL* and *HOMOSEXUAL* and not with *heterosexual* are more negative:

OFFENCES	ACT	INTERCOURSE	PRACTICES	OFFENCE	MAN	AIDS	MALE	BUGGERY
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While those collocating only with *HOMOSEXUAL* link to criminality:

ACTIVITIES	SEDUCED	CRIMINALISATION	MALES	ATTACK	PROSECUTION
CRIMINAL	BOYS	CONSENTING	DECRIMINALISATION	PROSECUTIONS	

The focus on *HOMOSEXUAL MEN* illustrates the persistence of the legislative heritage in homophobic beliefs. The R1 nouns (Appendices 407, 411-412) are less pointed, some of which are also shared by all three adjectives:

ACTIVITY	ACTS	BEHAVIOUR	experience
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More are shared between *HOMOSEXUAL* and *SEXUAL*:

OFFENCES	ACT	PRACTICES	RELATIONS	CONDUCT	ABUSE
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While the R1 nouns only of *HOMOSEXUAL* include:

MEN (27)	ACTIVITIES (10)	sex (6)	CONSENT (4)	tendencies (4)	experiences (3)	MAN (3)
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By way of mitigation, all three adjectives apply to *relationship(s)*, while those for *HOMOSEXUAL* and *heterosexual* also include *people* and *couple(s)*, but with lower frequencies. That *HOMOSEXUAL* also applies to *community*, *groups*, *equality* and *love* links to LG1 political struggles, but only *heterosexual* applies to *family*.

In LG2, only *homosexual* and *heterosexual* are reciprocal collocates, but some keyword collocates are still shared with *sexual* (Appendices 403-404, 401):

COUPLES	MARRIAGE	RELATIONSHIPS	PARTNERSHIP
COUPLE	CHILDREN	RELATIONSHIP	PARTNERS

Collocates shared by *homosexual* and *heterosexual* include:

UNMARRIED	PARTNERSHIPS	ADOPTION	SINGLE	STABLE	RIGHT
MARRIED	COHABITING	TOGETHER	RIGHTS	MARRY	LIVE

Differences between the two terms' associations are evident in their unshared



collocates. Those for *heterosexual* relate mainly to the availability of heterosexual marriage and attendant eligibility to adopt as a couple:

CHOOSE	ABLE	PARTNER	ADOPTERS	COHABITEES	PARENTS	MARRIAGES
--------	------	---------	----------	------------	---------	-----------

Those for *homosexual* relate mainly to conflict over partnership recognition and non-heterosexual parenting:

ADOPT	LEGAL	RECOGNITION	MOTHER	ADOPTIONS	ADOPTED	TREATED	FATHER
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Six keyword collocates are shared among the R1 nouns (Appendices 413-414):

COUPLES	RELATIONSHIPS	COUPLE	RELATIONSHIP	MARRIAGE	PARTNERS
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While *heterosexual* also applies to *UNMARRIED* and *MARRIED*, the R1 nouns for *homosexual* also include:

ADOPTION (6)	community (5)	practice (4)	RIGHTS (3)	man (3)
PARTNERSHIPS (6)	men (5)	acts (3)	ADOPTIONS (3)	

Notably, as with *sexual* in LG2, the application of *homosexual* to *men*, *practice*, *acts* and *man* perpetuates the preoccupation with sex between men. Thus a residual negativity persisted, albeit at a less prominent level.

The LG1 preoccupation with sex between men extends to *gay*, but while it collocates reciprocally with *HOMOSEXUAL*, its keyword collocates (Appendix 405) related to sexual acts are few and not graphic:

MEN	CONSENT	SEXUAL	ACTIVITIES	MAN	SEXUALITY
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In addition, only *MEN*, *sex* and *MAN* feature among the R1 nouns (Appendix 415). Thus the LG1 associations of *gay* are less *sexual* and less negative than those of *HOMOSEXUAL*. By contrast, in LG2 *gay* collocates reciprocally with *heterosexual*, although both terms share some keyword collocates with *homosexual*:

COUPLES	COUPLE	ADOPTION	MARRY	PARTNERSHIP	STABLE
MARRIAGES	CHILDREN	RELATIONSHIP	PARTNERSHIPS	MARRIED	COHABITING
RIGHTS	UNMARRIED	RELATIONSHIPS	PARTNERS	TOGETHER	

Keyword collocates shared only with *homosexual* relate mainly to conflict over non-heterosexual parenting and partnership recognition:

ADOPT	ADOPTIONS	LIVING	LEGAL	ADOPTED
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Those shared only with *heterosexual* relate mainly to arguments for or against equivalence in adoption and civil partnership:

PARENTS	ADOPTERS	PARTNER	REGISTRATION	MARRIAGES
---------	----------	---------	--------------	-----------

Notably, the unshared keyword collocates of *gay* place it closer to *heterosexual*:

REGISTER	FAMILY	FAMILIES	COMMITMENT	CHILD
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This further distances *gay* from *homosexual*, as do the keyword collocates listed among the LG2 R1 nouns for *gay* (Appendix 416), but upholds heterosexuality as the benchmark for equality.

The salient collocate of *gay* is *lesbian* in both periods. In LG1, 24/25 keyword collocates for *lesbian* and 26/27 in LG2 (Appendix 406) are also those of *gay* (Appendix 405). Similarly, 6/7 R1 collocates in LG1 and 7/8 in LG2 are also those of *gay* (Appendices 417-418 and 415-416). In LG1 99/135 uses of *lesbian* are paired with *gay* and 101/127 in LG2 (Appendices 419-420). If pairings with *homosexual* are added (Appendix 421) this totals 113/135 and 108/127 paired uses of *lesbian* in LG1 and LG2 respectively. The few independent uses of *lesbian* in both periods (Appendices 422-423), supports the focus on non-heterosexual men. However, *LESBIAN* was mostly used (80.7%) in Clause 28 debates. This relates to 1980s sexuality politics in which lesbians were prominent (for example: GLC 1985; GLC 1986; Cant and Hemmings 1988; Tobin 1990) and in which

“affirming lesbian identity and increasing the cultural visibility of lesbianism were major preoccupations for activists” (Cameron and Kulick 2003: 95-6). MPs familiar with this politics (such as Chris Smith, Ken Livingstone, Tony Banks, Jeremy Corbyn) included lesbians more often and generally used *gay* rather than the clinical *homosexual* (Chapter 5). Post Clause 28, the use of *lesbian* dwindles. This is predictable in the two age-of-consent debates, but not in the other LG1 debates or the LG2 debates, which applied equally to lesbians and gay men. This dwindling use may be partly due to an increase in inclusive uses of *gay*, but also points to the strength of focus on *gay/homosexual* men in both defending and opposing the legislative proposals. Yet as Baker (2008: 151) notes, “not only are [lesbians] marginalised by the hetero-gendered order, they are made further invisible as ‘women’ even in the gay community”. A recent performance based on real-life coming-out stories, ‘Outings’ (Baldwin & Hescott 2014), suggests that younger women are coming out as *gay* rather than *lesbian*. If so, this can be variously interpreted as diminishing lesbian visibility or a decline in gendered demarcation. Either way, the male aligned term prevails.

The adjectives confirm a superficial difference and core similarity between the periods: the former is the shift from sexuality identifiers to *same-sex* entailed in the move from sexual acts to couple relationships; the latter is the underlying importance of the gender binary in homophobic beliefs.

\* \* \*

All four nouns for people were less used in LG2, but only *homosexuals* has a vastly different frequency in each period:

	LG1 Nouns for People	LG2 Nouns for People
1.	HOMOSEXUALS (324, 0.12% KW)	homosexuals (60, 0.01%)
2.	LESBIANS (72, 0.03% KW)	lesbians (37, <0.01%)
3.	HETEROSEXUALS (45, 0.02% KW)	heterosexuals (24, <0.01%)
4.	gays (25, <0.01%)	gays (21, <0.01%)

*totals include nouns with attached dash ignored by concordancing software*

The low LG2 frequencies result from the application of gendered or sexuality adjectives to *COUPLE(S)*, *RELATIONSHIP(S)*, *PARTNERSHIP(S)* or *PARTNER(S)* as these relationship keywords are absent from the nouns-for-people collocates (Appendices 424-427 for LG1 and 428-431 for LG2—collated 432-435). A fall in clinical term use is also evident in the polarised frequency of *homosexuals*.

While in LG1 *HOMOSEXUALS* collocates reciprocally with *HOMOSEXUAL*, it has fewer links to sexual acts among its keyword collocates (Appendix 432):

<i>MALE</i>	<i>CONSENT</i>	<i>ACT</i>	<i>AIDS</i>	<i>BEHAVIOUR</i>
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The LG1 three-word clusters for *HOMOSEXUALS* (Appendix 436) relate largely to prejudice and discrimination, for example:

<i>discrimination AGAINST HOMOSEXUALS</i> (9)	<i>admission of HOMOSEXUALS</i> (2)
<i>that HOMOSEXUALS are</i> (9)	<i>BAN on HOMOSEXUALS</i> (2)
<i>acceptance of HOMOSEXUALS</i> (3)	<i>believe that HOMOSEXUALS</i> (2)
<i>AGAINST HOMOSEXUALS in</i> (3)	<i>discharge of HOMOSEXUALS</i> (2)
<i>ATTACK on HOMOSEXUALS</i> (3)	<i>discriminating AGAINST HOMOSEXUALS</i> (2)
<i>CAMPAIGN AGAINST HOMOSEXUALS</i> (3)	<i>needs of HOMOSEXUALS</i> (2)
<i>discriminate AGAINST HOMOSEXUALS</i> (3)	<i>or humiliate HOMOSEXUALS</i> (2)
<i>rights of HOMOSEXUALS</i> (3)	<i>presence of HOMOSEXUALS</i> (2)
<i>services to HOMOSEXUALS</i> (3)	<i>to accept HOMOSEXUALS</i> (2)
<i>that HOMOSEXUALS have</i> (3)	

The clusters link to the PLG1 focus on the people affected by the proposals and to ALG1 denials of discrimination. By contrast, the few LG2 keyword collocates for *homosexuals* (Appendix 432) relate to parenting (*ADOPT*, *ADOPTION*, *SINGLE*), as do 6/8 clusters (Appendix 437) which occur only in adoption debates:

<i>of homosexuals and</i> (3)	<i>homosexuals and lesbians</i> (2)	<i>rights of homosexuals</i> (2)
<i>adoption by homosexuals</i> (2)	<i>homosexuals or lesbians</i> (2)	<i>(brought) up by homosexuals</i> (2)

In fact *homosexuals* was disproportionately used in adoption debates (41.7% of the lines from debates accounting for 31.9% of LG2) and in both corpora (PLG2 42.4%/ALG2 40.7%). The ALG2 use of the term is predictable in that its clinical

heritage accords with speakers' opposition; in PLG2 it is surprising. Placing the ALG2 and PLG2 lines in sequence (Appendix 438) shows PLG2 uses in the Lords were initially in response to ALG2 speakers. In the Lords the PLG2 appropriation suggests concession—an example of the word forming “itself in the atmosphere of the already spoken” (Bakhtin 1981: 280); in the Commons *homosexuals* was used by MPs who showed ambivalence towards non-heterosexual parenting.

*Lesbians* collocates reciprocally with *homosexuals* and *gays* in both periods: 24/72 with *homosexuals* and 13/72 with *gays* in LG1; 11/37 with *gays* and 6/37 with *homosexuals* in LG2; there are also 27/72 pairings with *gay* (men) in LG1 and 18/37 in LG2 (Appendices 439-440). This leaves 8/72 unpaired uses of *lesbians* in LG1 and 2/37 in LG2 (Appendix 441). The pairings also illustrate a reversal of the 1980s convention for *lesbians* to precede *gay men* in LG2:

LG1	order	pairs	LG2	order	pairs
	lesbians/gay (men)	23/27		lesbians/gay (men)	7/18
	gay (men)/lesbians	4/27		gay (men)/lesbians	11/18

Plus *gays* is more often used first in LG2:

LG1	order	pairs	LG2	order	pairs
	lesbians/gays	4/13		lesbians/gays	0/11
	gays/lesbians	9/13		gays/lesbians	11/11

And *homosexuals* is habitually used first in both periods:

LG1	order	pairs	LG2	order	pairs
	lesbians/homosexuals	2/24		lesbians/homosexuals	1/6
	homosexuals/lesbians	22/24		homosexuals/ lesbians	5/6

The order of LG1 pairings and use or not of the clinical term are indicative of speakers' familiarity with or distance from sexuality politics. That 73.6% of the LG1 uses occurred in Clause 28 debates, further supports the post 1980s sidelining of *lesbians* and ongoing focus on non-heterosexual men. The LG1 keyword collocates for *LESBIANS* and *gays* (Appendices 433-434) relate mainly to

Clause 28 and questions of discrimination:

<i>lesbians</i>	<i>AGAINST</i>	<i>POSITIVE</i>	<i>IMAGES</i>	<i>PREVENT</i>	<i>PREJUDICE</i>
<i>gays</i>	<i>POSITIVE</i>	<i>IMAGES</i>			

As do various LG1 clusters for *LESBIANS* (Appendix 436):

<i>AGAINST LESBIANS and (7)</i>	<i>LESBIANS in Britain (2)</i>	<i>that lesbians and (2)</i>
<i>discrimination AGAINST LESBIANS (5)</i>	<i>rights of LESBIANS (2)</i>	<i>to LESBIANS and (2)</i>

In LG2, the few keyword collocates for *lesbians* and *gays* (Appendices 433-434), like those for *homosexuals*, link to parenting:

<i>lesbians</i>	<i>CHILDREN</i>	<i>ADOPT</i>	<i>ADOPTION</i>
<i>gays</i>	<i>ADOPT</i>		

Various clusters (Appendix 437) also occur only in adoption debates:

<i>and lesbians to (2)</i>	<i>homosexuals or lesbians (2)</i>	<i>lesbians or gay (2)</i>	<i>fostered by lesbians (2)</i>
<i>by lesbians or (2)</i>	<i>lesbians are significantly (2)</i>	<i>lesbians to adopt (2)</i>	
<i>allow gays to (2)</i>	<i>gays to adopt (2)</i>	<i>to allow gays (2)</i>	

Thus the LG2 non-heterosexual nouns for people are largely linked to parenting.

The associations of *heterosexuals* are few. In LG1 it collocates reciprocally with *HOMOSEXUALS*, with which it shares its few keyword collocates (Appendix 435), but apart from *AGE*, which relates to age of consent debates, the collocates are devoid of thematic links. The pairing with *HOMOSEXUALS* is highlighted in the clusters (Appendix 436) which occur in arguments for or against equality:

<i>homosexuals and heterosexuals (4)</i>	<i>heterosexuals as well (2)</i>	<i>legal for heterosexuals (2)</i>
<i>heterosexuals and homosexuals (2)</i>	<i>heterosexuals should be (2)</i>	

The LG2 keyword collocates of *heterosexuals* are few, but include *COHABITING* and *MARRIED* which link it to adoption and civil partnership. The few clusters (Appendix 437) also include *cohabiting*, while *heterosexuals are treated* implies comparison. However, *heterosexuals* has no sexuality-term collocates in LG2 and is linked to a non-heterosexual term in only 7/24 lines (Appendix 442). Most

lines occur in PLG2 and mainly in civil partnership debates where *heterosexuals* are largely upheld as the benchmark for equality. Thus the greater independent use of *heterosexuals* in LG2 involves no critical examination of heterosexual status or the institution of heterosexuality.

\*      \*      \*

The abstract nouns account for second largest proportion of each corpus with notable variations in frequency:

	LG1 Abstract Nouns	LG2 Abstract Nouns
1.	HOMOSEXUALITY (753, 0.28% KW)	SEX (1,004, 0.24% KW)
2.	sex (193, 0.7%)	sexual orientation (98, 0.02%)
3.	sexual orientation (77, 0.03%)	homosexuality (87, 0.07%)
4.	SEXUALITY (102, 0.04% KW)	sexuality (48, 0.01%)
5.	HETEROSEXUALITY (35, 0.01% KW)	heterosexuality (4, <0.01%)

*totals include nouns with attached dash ignored by concordancing software*

The pattern of keyword collocates for these nouns (Appendices 443-447 for LG1 and 448-452 for LG2—collated 453-457) is less consistent than those for the adjectives or nouns for people.

Sex has the highest overall frequency. In LG1, the salience of *EDUCATION* and *SCHOOLS* among its keyword collocates (Appendix 453) links it to Clause 28. In LG2, it links to civil partnership via its use in *SAME-SEX* and *OPPOSITE-SEX*. The shift from sexual acts to gender is evident the term's L1 and R1 collocates (Appendices 458-459 for LG1 and 460-461 for LG2). Where *sex* refers to sexual acts in LG1, the collocates are generally more specific and include:

L1	SAFER sex (12)	having sex (3)	unlawful sex (2)	had sex (1)
	safe sex (9)	gay sex (3)	oral sex (2)	HAS sex (1)
	have sex (7)	heterosexual sex (3)	CONSENSUAL sex (2)	consenting sex (1)
	HOMOSEXUAL sex (6)	unsafe sex (3)	appropriate sex (1)	responsible sex (1)
	about sex (5)	NORMAL sex (2)	TEACHING sex (1)	penetrative sex (1)
R1	sex EDUCATION (58)	sex PRACTICES (1)	sex ACT (1)	sex drive (1)
	sex with (8)	sex shop (1)	sex between (1)	sex guide (1)
	sex CAMPAIGN (1)	sex shops (1)	sex life (1)	

The LG2 collocates where *SEX* refers to sexual acts are less specific and include:

L1	<i>from SEX</i> (6)	<i>effective SEX</i> (3)	<i>schools SEX</i> (2)	<i>FOR SEX</i> (2)	<i>gay SEX</i> (1)
	<i>on SEX</i> (5)	<i>about SEX</i> (3)	<i>WITH SEX</i> (2)	<i>requires SEX</i> (1)	<i>oral SEX</i> (1)
R1	<i>SEX education</i> (43)	<i>SEX outside</i> (2)	<i>SEX offenders</i> (1)	<i>SEX prejudice</i> (1)	<i>SEX life</i> (1)

The prominence of *education* in both periods links to Clause 28 and the Section's repeal. Where *sex* refers to gender, differences between the periods are more evident in the collocate frequencies than the collocating terms:

LG1	Term	Frequency	LG2	Term	Frequency
	same sex	14/193		SAME-SEX/SAME SEX	726/1004
	own sex	9/193		OPPOSITE-SEX/OPPOSITE SEX	113/1004
	either sex	6/193		mixed-SEX/mixed SEX	17/1004
	opposite sex	6/193		single-SEX/single SEX	13/1004
	single sex	5/193		different-SEX/different SEX	4/1004
	whatever sex	2/193		other-SEX	2/1004
	different sex	1/193		two-SEX	2/1004
				either SEX	1/1004
				own SEX	1/1004
				whatever SEX	1/1004
				inter-SEX	1/1004
	Total	43/193		Total	881/1004

Most LG2 references apply to *COUPLE(S)*, *RELATIONSHIP(S)*, *PARTNER(S)* or *PARTNERSHIP(S)*, including *inter-sex* which bizarrely refers to a *heterosexual relationship*. There are no references to intersex people and only one use each of *transsexual*, *trans-sexual*, *gender reassignment* and *transgendered*, which barely suggest a glimmering awareness of gender diversity. All occur in contexts where the gender binary was unquestioned (Appendix 462). The use of gendered terms to ease the passage of adoption and civil partnership legislation, rested on their being accepted as uncontroversial.

The frequencies of *homosexuality* are the most polarised of all 15 sexuality terms. It is the top LG1 keyword, but in both periods its frequency is in marked contrast to that of *heterosexuality*. In LG1, the use of *HOMOSEXUALITY* in the Clause 28 wording pervades its use. In total, 638/753 uses of *HOMOSEXUALITY*



(84.7%) occur in Clause debates, which account for 58.3% of LG1. In addition, 50 keyword collocates (Appendix 454) link to the Clause: 16 occur in its wording:

PROMOTE	TEACHING	INTENTIONALLY	INTENTION	EDUCATION	NOTHING
PROMOTING	ACCEPTABILITY	AUTHORITY	SCHOOL	PUBLISH	
LOCAL	PRETENDED	MATERIAL	PROHIBITION	PUBLISHING	

Thirty-four more occur primarily in Clause debates:

PROMOTION	PROMOTED	PHRASE	WORKS	ASK	ACTIVITIES
AUTHORITIES	WORD	IMAGES	STOP	ACCEPTED	TEACH
SCHOOLS	ABSTRACT	PLAY	TAUGHT	TEACHER	PROPAGANDA
WORDS	POSITIVE	NORMAL	BOROUGHES	TEACHERS	INTERRUPTION
INTENDED	HETEROSEXUALITY	PROMOTES	COUNCILS	EFFEECT	
ACCEPTABLE	LESBIANISM	CLASSROOM	MEANING	THEATRE	

The shadow of Section 28 hung over later attempted and actual reforms. In LG1 it was cited in an argument against equalising the age of consent (HC 21.2.1994 c.87) and an attempt to make it illegal for a lesbian or gay man to have custody of a child (HL.12.7.1994 c.1771). In LG2, it was cited mainly in the debate which repealed it (Appendix 463), as was the notorious '*pretended family relationship*' (Appendix 464). Both *FAMILY* and *RELATIONSHIP* are among the few LG2 keyword collocates for *homosexuality*.

As in Comparison 3, Clause 28 also dominates the use of *heterosexuality*, which collocates reciprocally with *homosexuality* in both periods (Appendix 455). Its few LG1 keyword collocates are all shared with those for *homosexuality* where 25/34 uses occur in Clause debates. In LG2 it has no keyword collocates and only four uses which occur in the debate on the Section's repeal. Concordance lines for *heterosexuality* (Appendix 465) show that it occurs only in the context of non-heterosexual terms, quotes or reports. Thus the term was used solely in comparison or contrast to *homosexuality*. That this applies to both periods suggests the LG2 reforms left the status of *heterosexuality* intact.

The final terms, *sexual orientation* and *sexuality*, are not prominent in

either period. The keyword collocates of *sexual orientation* (Appendix 456) link mainly to the LG2 employment debate:

REQUIREMENT	REGULATIONS	EMPLOYMENT	RELIGIOUS	RELIGION	REGULATION
-------------	-------------	------------	-----------	----------	------------

In fact 57/98 uses of *sexual orientation* (58.3%) occur in this debate which accounts for only 4% of LG2. Few keyword collocates for *SEXUALITY* (Appendix 457) have thematic links bar three to Clause 28 (*ANY/PROMOTING/FEAR*) in LG1. In addition, 34/48 LG2 uses of *sexuality* (70.8%) occur in the Section 28 repeal which accounts for only 6.2% of LG2. Thus the terms link to very different contexts. The lines for each term (Appendices 466-467 and 468-469) show more consistency. Both terms' references to heterosexuality are minimal compared with those to lesbian and/or gay sexualities, which supports a continuation of heterosexuality's taken-for-granted status. However, there is also a small pattern of difference between LG1 and LG2:

	References of <i>sexuality</i>	References of <i>sexual orientation</i>
LG1	to lesbian and/or gay sexualities 51% to heterosexuality 7.8% generalised/ambiguous reference 41.2%	to lesbian and/or gay sexualities 57.1% to heterosexuality 3.9% generalised/ambiguous reference 39%
LG2	to lesbian and/or gay sexualities 43.75% to heterosexuality 0 generalised/ambiguous reference 56.25%	to lesbian and/or gay sexualities 53.1% to heterosexuality 1% generalised/ambiguous reference 45.9%

In LG2, the proportion of references to specific sexualities is smaller and a larger proportion of the terms' uses have generalised or ambiguous reference. While deciding a term's reference in an example of its use is a judgment based on its co-text and not wholly reliable, in this context at least, it could suggest a trend. If, as discussed in Comparison 3, the terms were used where sexuality was in question and heterosexuality could not be assumed, then a reduced reference to specific sexualities could suggest a slight reduction in assumptions.

Nevertheless, as in Comparison 3, the apparent inclusivity of *sexuality* and *sexual orientation* is little supported by their use. Despite the slight apparent

shift towards generalisation or ambiguity, specific reference to heterosexuality was reduced in LG2. This compounds its lack of independent consideration and leaves its naturalised status still largely intact.

\*       \*       \*

The salient feature of Comparison 4 is the shift from sexuality identifiers to gender-aligned terms and the attendant shift from the focus on sexual acts in LG1 to couple relationships in LG2. While this shift entailed less graphic controversy, the unquestioned status of heterosexuality and the complete taken-for-grantedness of the gender binary on which it rests, prevented this core aspect of homophobic belief from being questioned.

### **Continuity and Change**

No single language item can necessarily indicate a particular evaluative position, this depends on “its myriad of connections with the extraverbal context of life” (Voloshinov 2012: 165). Thus the terms and themes examined in the four comparisons are variously indicative of evaluative continuity and social change depending on how they relate to their political and historical contexts.

A most significant and basic evaluative continuity that characterises each side of debate in both periods is the contrast between the PLG objective focus on the implications of the legislative proposals for the people concerned and the ALG subjective focus on their own views. This continuous contrast, established via the PLG keywords *PEOPLE/THEIR/THEY* and the ALG keyword *I*, illustrates the extent to which PLG speakers drew on real-life situations while ALG speakers drew on internalised beliefs. The ALG personalisation illustrates an extraordinary indifference to living people for the sake of cosseted ideals.

A major thematic change is the shift from sexual acts between men in LG1 to same-sex couple relationships in LG2. The ALG1 preoccupation with sexual

acts tapped into the lingering heritage of sin and crime and suggests that the speakers saw *homosexual men* only in such terms. This enabled them to bypass consideration of lesbians and gay men as people and citizens. Although PLG1 counter arguments were more reasoned and inclusive of heterosexuals, the fact that proposals for reform in LG1 were unsuccessful suggests that ALG1 appeals to socially engrained beliefs were more powerful and more conducive to achieving their objectives than reasoned argument. This was how Conservative speakers fought for Clause 28 and against subsequent proposals for reform, though their parliamentary majority played a significant part in the passing of Clause 28.

The LG2 theme of relationships modifies the above observation. Appeals to socially engrained beliefs are again identified with ALG speakers, but in LG2 this was not conducive to achievement of their objectives. The reforms were passed. The Labour majority was a significant factor, but the Conservative party was divided and many debates had a free vote on one or both sides. Only the Unionist parties consistently opposed reform. This suggests ALG2 appeals to the idealised privileging of heterosexual couples, families and parenting, were less powerful in LG2. It also signals a shift from the taken-for-grantedness of the homophobic beliefs deployed by ALG1 speakers, to a euphemistic entrenchment of them manifest in overt protection of heterosexuality and gender divisions. That beliefs about ‘unnatural’ sexual practices between men could no longer be appealed to directly supports a change in social atmosphere.

The themes of ‘Prejudice, Discrimination and Rights’ and ‘Gender’ are both more illustrative of continuity. The former is more easily summarised. PLG speakers consistently supported the civil liberties, civil rights and human rights of lesbians and gay men, and consistently argued against discrimination and prejudice. Conversely, ALG speakers consistently sidestepped these arguments either by denying their position was discriminatory or denying the issues in question were a civil rights or human rights matters. The theme illustrates the

extent to which ALG speakers were unable to consider lesbians and gay men as citizens deserving of equality before the law. In addition, their subversion of discrimination arguments in LG2, by applying them to the non-sexual relationships of cohabiting family members, shows how little they understood, or wanted to understand, the nature of institutionalised prejudice.

The theme of Gender requires closer examination. Two issues are crucial. One is the relationship of sex between men to the legislative heritage. The other is the importance of the gender binary in the cluster of beliefs that privilege heterosexuality. The former is relatively straightforward in that the Roman edicts and British imperial laws applied to men. Of particular importance in both is the protection of 'male' gender boundaries and the status of 'men'. This is evident directly in the Roman edicts. It is not specific in the 1533 Buggery Act with its very different political objectives against the Roman Church and connotations of heresy. It surfaces again in the 18th century during the rise of the British empire when the 1533 Act began to be enforced among men in the general population against a background of growing concern with gender divisions (Trumbach 1989: 150-8). The focus on men is also evident in the 1828 and 1861 Acts (Chapter 1). Thus it manifested in contexts where imperial powers needed 'men' to fight on their behalf. As Weeks notes (1977: 13), in the 18th and 19th centuries trials for buggery rose and fell according to whether Britain was at war or in a state of social turmoil. Similarly, punishments for buggery in the navy were harsher than those for other crimes, even murder (Gilbert 1976: 79-84). The armed forces debates in this study show that the military chiefs were bellicosely against reform. Although the ban on gay personnel applied equally to lesbians, they feature little in the debates. *Lesbian(s)* are mentioned in only two of the three armed forces debates included in the LG1 corpus and in 13/15 cases by PLG1 speakers who supported reform. Arguably, this focus on men's sexuality is relevant to other militaristic powers, not least in the USA and Soviet Union

during the Cold War (Baird 2004: 50-1).

The importance of the gender binary in the privileging of heterosexuality rests on the packaging of ‘man’ and ‘woman’ as two mutually exclusive categories linked to different behaviours and values, between which sexual attraction is expected and endorsed. This is exemplified in ALG2 speakers’ proportionately more frequent references to *a man and a woman, husband and wife, a mother and a father* in their idealisations of heterosexual marriage and parenting. That this protection of the gender binary was prominent in ALG2 speakers’ opposition to reform, links it to the cluster of beliefs that constitute homophobia. Although PLG speakers supported gender equality, the gender binary itself was completely presupposed in both periods. This is hardly surprising. Gender remains the only mandatory, imposed legal identity based on a judgment of physical attributes at birth, despite its biological continuum (Baird 2004: 128-130; ISNA 2014; UKIA 2015; Mushtaq 12.1.2016; Lewis 2016: 264-9). Gender is compulsory on birth certificates, passports and other less official documents and often asked for on others. A formal change of gender is difficult without psychiatric assessment and stringent conditions, often including surgery (for Europe see FRA 2014; Amnesty International 2014). Argentina has some of the most progressive legislation (Byrne 2014: 17-26) and was the first country to adopt self-definition in a law dictated by trans people (Berkins June 2013). Denmark, Ireland and Malta have followed suit. The institutionalised requirement for binarised gender has also medicalised intersex people from infancy and denied them basic human rights, and in some countries right to life (Ghattas 2013). Legal provisions for non-binary and non-gendered people do not yet exist in Britain (Hines 2013: 64-7; Elan-Cane 2015), while the countries that do recognise a ‘third’—indeterminate or intermediate—gender on documents attach eligibility conditions (Byrne *ibid*). Officially and socially the taken-for-grantedness of the gender binary is virtually absolute and permeates all aspects of life. Though there is no necessary relation

between gender and sexuality, the gender binary underpins the privileging of heterosexuality (Weeks 2011: 70-1). As Cameron and Kulick (2003: 72) argue, “There is no such thing as a generic, genderless heterosexual: rather there are male and female heterosexuals”.

Continuity and change are also evident in uses of the sexuality terms examined in Comparisons 3 and 4: most significantly in the clinical terms (*homosexual/homosexuals/homosexuality*) and their naturalised contemporaries (*heterosexual/heterosexuals/heterosexuality*), plus the self-chosen identities of *lesbian* and *gay*. The virtual exclusion of reference to *heterosexuality* in the uses of *sexuality* and *sexual orientation* further supports its naturalised status.

Continuity in clinical term use is evident in ALG speakers’ persistent use of them in the face of alternatives. The terms’ negative links to sex between men and thus sin, crime and pathology in ALG1, alongside ALG2 speakers’ resistance to reform, are continuous with the legislative heritage. Together with other terms more used by ALG speakers (*buggery/offence(s)/Wolfenden/(un)natural/normal*), they tapped into “linguistic clues and traces, in order to elicit a particular set of beliefs” (Wodak 2007: 213). Their historical associations were thus revived and reinforced via their contexts of use and the evaluative position of the group that mainly used them. The terms clearly position ALG speakers as a social group with “a community of value judgments” (Voloshinov 2012: 165) against reforms for lesbians and gay men. Although PLG speakers used the terms, particularly in LG1, it was in arguments challenging ALG claims in which the negativity was located in society. ALG speakers attached the negativity to a category of people.

Change in clinical term use is evident in their reduced LG2 frequencies. The use of *same-sex* partly accounts for this, especially in PLG2, but the smaller ALG2 corpus (only 35.1% of LG2) is also significant in that fewer peers and MPs were actively resisting reform. While ALG1 speakers had been able to tap into residual fears and assumed value judgments with their focus on *homosexual*

*acts*, ALG2 speakers were a small bastion of resistance to change. This shift in the status of overtly homophobic beliefs meant they could no longer be drawn on as common-ground knowledge that was widely accepted as true, their beliefs had shrunk to the ideology of an interest group (van Dijk 2006a: 131).

The comparisons offer a very different, bland account of the clinical terms' naturalised contemporaries. Unlike the shift in overtly homophobic beliefs, the terms offer little evidence of a shift in the status of heterosexuality. The terms were less often used than the non-heterosexual terms and were more often paired with them in all eight corpora. In addition, they were without distinctive associations. Heterosexuality functioned as a benchmark of legal and social status for PLG speakers and as a sacrosanct category in need of protection for ALG speakers. This throws an alternative light on ALG2 speakers' appeals to beliefs about heterosexual relationships and parenting. It suggests the failure of these appeals to achieve ALG2 objectives depended less on the reduced social power of the beliefs than on the increased power of equality arguments. However, with heterosexuality as the benchmark for equality, the question of assimilation arises. It suggests that despite the symbolic and practical importance of equality before the law, among heterosexual peers and MPs supporting reform there may have been a strand of making 'us' (lesbians and gay men) more like 'them'. A proposal to abolish marriage and put heterosexuals in the position of lesbians and gay men would not have received parliamentary time. Thus heterosexuality not only retained its privileged status, its protection also became the acceptable frontier of homophobic beliefs among ALG2 speakers.

There is also more continuity than change evident in uses of *lesbian(s)* and *gay(s)*. That the terms were used mainly by PLG speakers who accepted lesbian and gay self-chosen identities and premised their arguments on them in both periods, positions the terms as markers of support. Accordingly, the terms were less negatively associated than the clinical terms which supports the importance



of self-chosen group identity in political struggle (Voloshinov 2012: 145-6). These factors are relatively constant. In ALG speakers' uses of the terms, continuity and change are inter-linked. Whereas ALG1 speakers used *gay(s)* and *lesbian(s)* mainly in quotes or reports which they used in their appeals to homophobic beliefs, ALG2 speakers used the terms more spontaneously but in dismissive or disdainful contexts. Even so, *lesbian(s)* and *gay(s)* were less negatively associated by ALG speakers than the clinical terms. Alongside the negative heritage of the clinical terms, this constitutes an ongoing refusal of lesbian and gay identities and of non-heterosexuals as worthy of equal citizenship.

Finally, the less frequent uses and more frequent pairings of *lesbian(s)* with the male aligned terms *gay(s)* and *homosexual(s)*, on both sides and in both periods, illustrates clearly the extent of lesbian invisibility in the debates. It also reinforces the centrality of sex between men in homophobic beliefs and highlights the importance placed on protecting the category of 'man' within the gender binary. This suggests that, despite the importance of equality before the law, and despite the positive effects of legal reform on lesbian and gay lives, the reforms bypassed a basic problem: the official stricture of the gender binary. It further suggests that deregulating gender could help. If binarised gender was no longer an official requirement, if it was no-longer required on documents from birth onwards, it might begin to matter less. Ultimately, it might enable unprescribed genders to become optional identities.

## **Conclusion**

This chapter shows that many of the findings observed in the qualitatively analysed debates (Chapters 5-10) span a wider range of debates in each period. The composite analysis above can be summarised in three main strands of change and four main strands of continuity.

The first strand of change concerns the manifestation of homophobic beliefs. In LG1, the taken-for-granted 'official ideology' of homophobic beliefs was exploited by ALG speakers, largely by means of negative allusions, or in some cases graphic references, to *(homo)sexual* acts. In LG2, the ideology of equality had gained a degree of 'official' status and the proportion of ALG speakers had shrunk. Homophobic beliefs were euphemised in defences of heterosexuality and the gender binary via protection of marriage claims, while an underlying concern with *(homo)sexual* acts surfaced in idealised upholdings of non-sexual familial relationships. This indicates a change in what was publicly sayable in LG2 while highlighting the importance of heterosexuality and the gender binary in homophobic belief.

The second and related strand of change concerns the uses of sexuality identifiers and their associations. Between LG1 and LG2 there were significant decreases in the uses of *homosexual*, *sexual*, *lesbian*, *homosexuals*, *lesbians*, *heterosexuals*, *homosexuality*, *sexuality* and *heterosexuality*, plus a significant increase in uses of *same-sex* and other gender aligned terms. Within this, PLG speakers' greater uses of *gay* remained relatively stable, while their uses of the clinical terms shrank. By contrast, ALG speakers' uses of *homosexual* remained relatively stable and it was a keyword in ALG2, as were all three clinical terms in ALG1+2. Both *lesbian* and *gay* were keywords in PLG1+2. This disparity between each side's preferred terms linked to the terms' differing associations. Overall, in both periods and on both sides, *lesbian* and *gay* were more benignly associated than the clinical terms. Importantly, they were not associated with sexual acts which distances them from the heritage of sin, crime and pathology and supports the importance of a positive group identity in political struggle. A handful of abusive uses of *gay* in ALG2 were not linked to the heritage. By contrast, the clinical terms, especially *homosexual*, were very much associated with sexual acts and offences on both sides, but while PLG speakers located the negativity in

society, ALG speakers located it in the category of people the terms applied to. ALG speakers persistent adherence to the clinical terms in LG2 is emblematic of an intransigent clinging to the negative heritage.

The third and also related strand of change concerns the shift from sexual acts to couple relationships and the attendant Labour initiated PLG shift from sexuality identifiers to gender-aligned terms. The different debate topics in each period only partly account for this. That only 2/14 LG1 debate topics (on the age of consent) link to sexual acts, highlights the homophobic preoccupation with homosexual acts in ALG1 which was challenged in PLG1. Similarly, that 12/14 LG2 debates link to relationships does not account for the shift of terms. PLG2 speakers could have used *lesbian* and/or *gay* couples, partners or relationships in adoption and civil partnership debates, but in the majority of cases they did not. The substitution of *same-sex* positions the gender-aligned terms as less controversial than sexuality identifiers and thus highlights a disparity in social acceptability as well as the unquestioned status of gender.

The first strand of continuity concerns the contrast between PLG speakers' objective focus on people affected by the legislative proposals, via the keywords 'people/they/their', and ALG speakers' subjective focus on their own views, via the keyword 'I'. This contrast extends to PLG speakers' generally more practical and reasoned arguments, supported by real-life examples, against ALG speakers' appeals to socially ingrained beliefs and ideals, dubious claims and allusions. As the ALG personalisation was confined to Conservatives, it would be interesting to see how far it applies to their views of other legislative issues. In this study at least, it suggests self-importance and disregard for other people.

The second strand of continuity concerns prejudice, discrimination and rights. In LG1 especially, PLG speakers support for lesbian and gay civil liberties, civil rights and human rights was prominent. They also consistently argued on behalf of lesbians and gay men against discrimination in law and prejudice in

society, although their approach to examples of ALG prejudice in debates was more oblique. Importantly, this support was premised on the lesbian and gay identities of people in society. By contrast, ALG speakers refused to recognise that the legislative issues under discussion were civil rights or human rights matters. They also consistently disclaimed or denied that their position was based on prejudice or constituted discrimination. They resisted *homosexuals* being treated as citizens worthy of equality before the law. The ALG2 claims of discrimination against the socially accepted, non-sexual relationships of familial cohabitees especially, show speakers' insensibility to institutionalised prejudice as well as their adherence to it.

The third strand of continuity concerns the sidelining of lesbians in the debates when the legislative issues in 26/28 debates applied to lesbians as well as gay men. Although in some cases *gay* may have been used inclusively, the consistently lower frequencies of *lesbian* and *lesbians*, particularly in ALG1&2, plus their habitual pairing with a male-aligned term, excluded lesbians from independent consideration and positions them as unimportant. On both sides of the debates and in both periods, there was a disproportionate focus on the non-heterosexuality of men which directly links to the legislative heritage in terms of prohibited sexual acts within militarised imperial powers. It also exposes the underlying importance attached to protecting the category of 'man' within the confines of heterosexuality. Although PLG speakers argued for gender equality, the persistent focus on men was unquestioned which positions the gender hierarchy as still largely assumed. In all debates, in both periods, and by both sides, the gender binary was completely taken-for-granted and its symbiotic relationship with heterosexuality unexamined.

The fourth strand of continuity concerns the status of heterosexuality. On both sides and in both periods the frequencies of *heterosexual* and especially of *heterosexuals* and *heterosexuality* were low and their collocates few or in some

cases non-existent, thus the terms had no clear thematic associations. This, and the lack of specific reference to *heterosexuality* in the uses of *sexuality* and *sexual orientation* show it remained largely taken for granted. Even when not paired with a non-heterosexual term, the heterosexual terms functioned mainly as comparators in PLG arguments for equal treatment and ALG refutations of its appropriacy. In civil partnership debates especially, heterosexuality was clearly the benchmark for equality. Although PLG speakers' overall use of the terms was greater, heterosexuality received little independent consideration and its status remained largely unquestioned.

Importantly, the continuities and changes observed above do not simply pertain to the speakers who supported or opposed the legislative proposals. They are rooted in the tangle of social pressures, political obligations and historical influences that were operative on each side and in each period. In both periods, the composition of parliament and the wider political context of the legislative proposals were key factors. Legal reforms do not occur in a vacuum and do not impact on a neutral population. While the reforms may have reduced the taken-for-grantedness of homophobic beliefs in Britain, such beliefs persist in myriad forms and sundry places. How the reforms may relate to social change and may contribute or not towards further change is considered in the study's conclusion.

## Conclusion

At the Pink News election debate (19.3.2015) politicians from five parties took questions from an LGBT audience in the Wellcome Collection auditorium chaired by Evan Davis. Prepared positions were thrown off course by ‘curveball’ questions, others were more direct. Baroness Stowell apologised (in response to a question about trust) on behalf of Conservatives for Section 28. Natalie Bennett and Yvette Cooper were generally well informed and supportive, especially on the need to make inclusive Sex and Relationship Education (SRE) compulsory in all schools. Notably for this study, gender neutrality was least understood. That it was even raised is perhaps an indicator of how far we have come.

The bank of legislative changes over the two decades of this study marks a significant turning away from centuries of proscription. Of the six legislative issues selected for qualitative analysis (Chapters 5-10) most involved protracted conflict, while the debates analysed on each issue appealed to and reinforced beliefs about sexuality in the sections of society the speakers represented. They betrayed a socially situated view. The struggles analysed were instigated and shaped by a complex mix of historical conditions, social forces and political motivations. All six chapters illustrate the influence of the wider socio-political context on the legislative proposal, process and outcome, while aspects of the legislative heritage (Chapter 1) recurred in the views of speakers against reform.

Chapter 5 focuses on Clause 28 and shows how easily negative beliefs about a category of people, particularly where those beliefs have a long history, can be drawn upon in the service of other political agendas. It shows that where a residual prejudice exists in the consciousness of a society it can be deployed against political opponents. In this case, Labour’s adoption of anti-discrimination policies in the 1980s and their implementation by urban Labour councils were

accompanied by a mobilisation of homophobic beliefs in the right-wing press to 'discredit' the Labour opposition to Thatcher Government policies at a time of heightened Cold War-mongering in the West. The chapter traces this mobilisation during the 1987 election campaign and the passage of the Local Government Bill 1987-8 in which Clause 28 was included. The debate analysed (HC 15.12.1987 cc.987-1038) reveals the aspects of homophobic belief that were most productive in upholding this episode of political scapegoating. It shows that anti-Clause speakers were aware of the Conservative agenda to gain political advantage via the mobilised homophobia, but were caught in the social power of the mobilised beliefs. The most robust attacks on the Clause were made by Labour MPs with London constituencies who were more familiar with sexuality politics. Their more frequent uses of *lesbian* and/or *gay* rather than the clinical terms (*homosexual/homosexuals/homosexuality*) positions the former as markers of support. The clinical terms were negatively associated on both sides of the debate, but pro-Clause speakers focused the negativity onto *homosexuality*, while anti-Clause speakers located the negativity in society. Their more reasoned arguments and better supported examples were ignored or distorted by pro-Clause MPs in favour of unsupported claims that *homosexuality* was being promoted, dubious hearsay accounts of parents protesting at the anti-discrimination policies and allusions to (homo)sexual activities being taught in local authority schools.

Chapter 6 focuses on the first attempt to equalise the age of consent for gay men with that for heterosexuals at 16. Its parliamentary consideration was prompted by the registration of a case at the ECmHR and the prospect of it being referred to the ECtHR. An amendment was included in the Criminal Justice and Public Order Bill 1994. Conservative division over European integration pervade the political context. The debate analysed (HC 21.2.1994 cc.74-119) considered three main options: equalisation at 16, a reduction to 18, or no-change at 21, which broadly reflect the pro- and anti- European positions respectively. Despite

the free vote, the pro-18 amendment was backed by John Major and his Cabinet. Arguably, faced with the division over Europe, they could not be seen to be voting for either 16 or 21. The debate shows that pro-equalisation arguments were generally practical and reasoned, in contrast to the anti-equalisation reliance on out-of-date official reports and metaphorical claims. Anti-equalisation speakers' completely inappropriate preoccupation with sexual acts, particularly anal sex, positions their view within the heritage of sin and crime. The residual power of the anti-equalisation claim that young men needed protection from 'homosexual' experience is evident in pro-equalisation speakers' extensive rebuttal of it. That they took the claim at face value, illustrates the extent to which the status of heterosexuality was beyond question and thus protected. Equally problematic was the pro-equalisation emphasis on fixed, mutually exclusive sexual identities. Though politically expedient, it propagated views of distinct blanket categories of gay/straight sexuality and conflated them with sexual practice in ways that do not reflect the wider reality. The divisions over Europe also pervade the debate. Pro-equalisation speakers cited other European countries as positive examples, anti-equalisation speakers affirmed UK sovereignty. The extent to which anti-EU sentiments and homophobic beliefs fuelled each other is unknowable, but the two were linked—and still are today.

Chapter 7 focuses on an attempt to allow lesbians and gay men to serve in the armed forces. It outlines repeated attempts to change military law and the 1995 judicial review of the ban which recommended it be substituted by a code of conduct applicable to all. An amendment was duly included in the Armed Forces Bill 1995-6. The political context of the Bill shows the power the military chiefs exerted in and over the MoD and Parliament in their determination to retain the ban. The debate analysed (HC 9.5.1996 cc.481-512) shows references to prejudice and discrimination threaded through the pro-repeal speeches, but the prejudice was unattributed or displaced and discrimination was attributed to



the law rather than people. Anti-repeal speakers distanced themselves from prejudice and discrimination by means of euphemism, displacement or denial. Criticism of the military chiefs was off limits on both sides. The analysis also reveals two anti-repeal MPs' personal disagreement with their adopted position, thus highlighting distinctions between personal principles and Conservative party policy and between pragmatic compromise and Labour party policy. Their speeches reveal the importance both the Government and Blair placed on getting the decision the military wanted. The mainstay of pro-repeal speeches was well-supported real-life examples of the ban's effects on gay forces personnel, based on the principle of equal treatment. Anti-repeal speakers relied on unsupported claims that the ban maintained operational effectiveness and a tendentious argument for protecting heterosexual privacy, alongside euphemised and emotive appeals. Although the ban applied to both lesbians and gay men, the primary use of *homosexuals* in the debate, plus the scant use of *lesbian(s)*, points to an underlying focus on non-heterosexual men. In the military context especially, this links to beliefs about 'masculinity' and the policing of its boundaries, under which 'homosexuality' and 'femininity' are subordinated.

Chapter 8 focuses on the eligibility of lesbian and gay couples to jointly apply to adopt children. It outlines the very carefully negotiated passage of the Adoption and Children Bill 2001-2 amidst fierce Conservative resistance in the Lords and the terms of the Human Rights Act. The Bill's passage illustrates the Government's initially reluctant and subsequently very cautious and strategic approach to the inclusion of lesbian and gay couples. The adoption agencies had asked for the change in their submissions to the consultation and the Special Standing Committee, plus an EDM for the change had attracted cross-party signatures. Yet an amendment to delete 'married' was only tabled two months after extra time for discussion of the issue. As such, it enabled a non-exclusion of lesbian and gay couples rather than a positive inclusion. Government caution

also pervades the debate analysed (HC 4.11.2002 cc.24-100). It reveals pro-reform speakers' serial concessions to heterosexual parenting and an abundance of emotive appeals on behalf of children in care. The case for lesbian and gay parenting was not made, the issue was repeatedly minoritised or sidelined. The apparently strategic substitution of *same-sex couples* for *lesbian* and/or *gay couples* adds to the aura of caution, plus some Labour uses of *same-sex* reveal a high degree of ambivalence. That *lesbian(s)* were virtually absent from the debate again points to an underlying focus on non-heterosexual men. There is also a telling dissociation between *children/child* and sexuality identifiers on both sides. Caution is also evident among the anti-reform speakers. They lauded the status of marriage and by proxy heterosexuality, but conceded the possibility of non-heterosexual parenting in exceptional circumstances. They were not challenging the status-quo of lesbian and gay individuals' ability to adopt and were wary of being seen as homophobic, but were clearly more concerned with the sexuality of unmarried couples. The reform was passed, but the Government caution is testimony to strength of resistance they were up against.

Chapter 9 focuses on the implementation of Article 13 of the Treaty of Amsterdam 1997 to outlaw workplace discrimination, the conditions for which were set out in EU Directive 2000/78/EC. The Government's decision to legislate by Statutory Instrument minimised the potential for conflict. However, when the Employment Equality (Sexual Orientation) Regulations 2003 were presented to Parliament for approval, they contained an exemption for organised religion that was not in the original draft. The exemption, obtained by CoE bishops lobbying the Prime Minister after the consultation, was challenged in the Lords. In the ensuing debate (HL 17.6.2003 cc.751-784), cross-party peers, who wanted the Regulations withdrawn and amended, were opposed by Labour Ministers and conservative Christians who wanted the Regulations approved, but for completely different reasons. The keyword analysis illustrates a clear division of interest

between the three speaker groups. Pro-withdrawal speakers focused on the exemption's non-compliance with the Directive and the discrimination it enabled. Conservative anti-withdrawal speakers focused on protecting religious belief and by proxy heterosexual privilege, while denying or disclaiming discrimination and prejudice. Labour anti-withdrawal speakers focused on defending the inclusion of the exemption and claiming its compliance with the Directive. However, in terms of the Directive's purpose, the Government's inclusion of 'opposite-sex' in its definition of *sexual orientation* is problematic. Heterosexuals were (and are) only likely to face prejudice or discrimination at work on grounds of sexuality if assumed to be lesbian, gay or bisexual—in which case the Regulations apply. Arguably, had the definition been confined to the latter groups, the religious exemption would have been difficult to include. In addition to highlighting the CoE's institutional power in obtaining the exemption and defending it in the Lords, the analysis illustrates its confusion and hypocrisy over sexuality.

Chapter 10 focuses on partnership legislation. It was first proposed in Private Members Bills in 2001 and 2002, but when Lord Lester's Bill passed its second reading the Government took cautious control. They ring-fenced marriage as a heterosexual institution and excluded heterosexuals from their Bill. The Civil Partnership Bill 2004 was started by Ministers in the Lords where it became subject to a succession of wrecking amendments. In the debate analysed (HC 12.10.2004 cc.174-250) there was widespread cross-party support for the Bill in its original form. Only a minority of Conservatives and Unionists opposed it and used the wrecking amendments to devalue lesbian and gay relationships. The analysis shows how the anti-CP keyword *marriage* functioned as a metaphor for the protection of heterosexuality and a euphemistic front for homophobic beliefs. In addition, the prominence of the anti-CP keyword *homosexual* confined the term to a minority of virulently antagonistic speakers and suggests their once taken-for-granted views had become hardened and entrenched in the face of

increasing challenge. Pro-CP speakers focused on real-life examples of hardship caused by lack of partnership recognition while emphasising the responsibilities as well as rights the recognition would entail. As in Chapter 8, the Labour led deployment of the keyword *same-sex* decreased the use of sexuality identifiers while taking the gender binary completely for granted. Heterosexuality also remained largely taken for granted and clearly set the benchmark for equality. In line with the previous analyses, the sparse use of *heterosexual(s)*, rare use of *straight(s)*, and frequent non-use of *heterosexuality*, plus their main function as comparators, suggests that the increased support for lesbian, gay and bisexual ‘equality’ had little impact on heterosexuality’s naturalised status or its coveted gender boundaries. Nevertheless, the pro-CP belief threading through the debate that legal reform reduces prejudice is supported by anti-CP increased use of terms related to prejudice over the debates analysed. Their view could no longer be taken for granted, their prejudice had to be disclaimed or denied.

A wider overview was the purpose of the more quantitative analysis in Chapter 11. It analyses four basic corpora built from all key debates in each period which enables four dimensions of comparison. The four comparisons are based on a keyword and collocate analysis linked to 15 basic terms relating to sexuality. This offers an overview of each legislative period and of speakers who were and were not supportive of lesbians and gay men. The comparisons show that many of the findings observed in the six qualitatively analysed debates (Chapters 5-10) span a wider range of debates in each period. Chapter 11 shows clear divisions between each side and each period as well as features that were taken for granted on both sides in both periods. The findings fall broadly into three strands of change and four strands of continuity. They are discussed fully in the final sections of the chapter and are briefly outlined below.

The first strand of change concerns manifestations of homophobic beliefs, which shifted from exploited taken-for-grantedness to euphemised protection of

heterosexuality and the gender boundaries on which it rests. This suggests overt manifestations of homophobic belief became less publicly acceptable. The second strand of change concerns the overall lower frequencies of sexuality identifiers in period two. However, while the uses of the negatively associated clinical terms (*homosexual/homosexuals/homosexuality*) fell dramatically among supportive speakers, they remained the preferred terms of unsupportive speakers and illustrate their adherence to the negative heritage. The third strand of change concerns a major shift in focus from sexual acts to couple relationships and the related shift from sexuality identifiers to gender-aligned terms. The debate topics only partly account for this, while the adoption of gender-aligned terms testifies to the continued lack of social acceptance.

The first strand of continuity concerns the marked contrast between supportive speakers' objective focus on the people affected by the legislative proposals sustained by real-life examples, and unsupportive speakers' subjective focus on their own views characterised by appeals to socially ingrained beliefs and ideals via dubious claims and allusions. The second strand of continuity concerns each side's approach to prejudice, discrimination and rights, which were consistently highlighted by supportive speakers, but sidestepped, denied or subverted by unsupportive speakers. The third strand of continuity concerns the sidelining of lesbians in the 26/28 debates applying to lesbians and gay men. Though in some cases *gay* may have been used inclusively, the disproportionate focus on men links to the heritage of sin, crime and pathology and exposes the underlying importance attached to protecting the category of 'man' within the confines of heterosexuality. In addition, the gender binary on which it rests was completely taken for granted on both sides in both periods while bisexuality was rarely acknowledged. The fourth strand of continuity concerns the largely taken for granted and unchallenged status of heterosexuality. The frequencies of the related terms were low and their collocates few without distinctive associations.

They functioned primarily as comparators. Heterosexuality set the benchmark for 'equality' among supportive speakers, but among unsupportive speakers the comparisons oozed polarisation and rejections of equality. The institution of heterosexuality remained protected.

The legislative reforms in this study can be seen as a slalom of agency and context. As Angela Eagle specified (23.2.2011) the reforms were not inevitable, they were achieved through struggle "in the face of fierce Conservative opposition and unrelenting press hostility". Apparently the Government was surprised at what was achieved. She cited public recognition of the case for change ahead of Parliament as a factor. This concurs with Weeks' (2008: 789) view that social changes "at a grass-roots, sub-political level" required Government response. However, the trigger was the enormous anger mobilised by Clause 28. Among the ensuing factors were Stonewall's lobbying and legal support, ECtHR judgments, EU laws and increasing numbers of out lesbian, gay, and bisexual MPs and peers. Less well recognised are party political considerations, such as Labour determination to right Conservative wrongs and Conservative modernisers who refused to toe the traditional line. The Marriage (Same-Sex Couples) Act 2013 can be seen as a strategy for modernising the Conservative image besides its important symbolic value. The reforms were cued by a range of circumstances and motivations whereby sexuality became the carrier of other agendas. As Voloshinov (2012: 134) noted "behind any ideological struggle of whatever scale, certain objective, material processes are covertly present".

The analyses in this study raise questions that can only be touched on here. How have the reforms affected us? What effects are they having on wider social change? To what extent do we remain easy scapegoats? What further changes are needed? Arguably, the interactive and incremental processes of language change, social change, legal and institutional change can only modify existing frameworks—as Voloshinov was well aware:

Newly emerging social forces find ideological expression and take shape first in these upper strata of behavioral ideology before they can succeed in dominating the arena of some organized, official ideology. Of course, in the process of this struggle, in the process of their gradual infiltration into ideological organizations (the press, literature and science), these new currents in behavioral ideology, no matter how revolutionary they may be, undergo the influence of the established ideological systems and, to some extent, incorporate forms, ideological practices, and approaches already in stock.  
(Voloshinov 1986 [1929]: 92)

Thus where oppression exists and the people affected unite to fight it, especially where negative beliefs are deeply embedded in the social mindset, the struggle is ongoing. As Cooper argues (2000: 272), it is the “constant processes of renewal and change that provide the impetus for action”. In the case of LGBT politics, four sites of unresolved, or compromised, struggle emerge from the analyses: firstly, the role of group identity in creating social change and achieving legal reform; secondly, the protected status of heterosexuality in both debates and reforms; thirdly, the ebbs, flows and mutations of homophobic beliefs; fourthly, the role of the gender binary in sustaining homophobic beliefs. These interlinked issues are considered in turn below.

The first site of unresolved struggle concerns the role of lesbian and gay identities. The analyses show repeatedly that the self-chosen lesbian and gay group identity was important in gaining sufficient support for the reforms to progress. The terms *lesbian* and *gay* were more positively associated than the clinical terms and shifted the focus from the heritage of sin, crime and pathology onto people as citizens deserving fair treatment. Speakers against Clause 28 and for the reforms premised their support on lesbian and gay identities. Speakers for Clause 28 and against the reforms premised their antipathy on (homo)sexual acts, albeit subterranean in period two, but nonetheless rooted in the negative heritage. The problem is that *heterosexual/heterosexuals/heterosexuality* and *straight/straights* were habitually used as comparators, as were *opposite-sex* and *mixed-sex* couples. The greater pro-reform use of these terms shows they were

taking heterosexuality less for granted, but independent scrutiny of it was lacking. On both sides, the comparisons fostered binary thinking. While the now established acronym LGBT increasingly spans a range of variant identities, in Parliament 'gay and straight' were mostly treated as finite categories from which bisexual, the third umbrella identity, was virtually absent. This misrepresents human sexual experience. As Weeks argues:

Social categorizations have effects in the real world, whether or not they are direct reflections of inherent qualities or drives.  
(Weeks 2011: 191)

To the extent that views deployed in Parliament are representative of wider social mindsets, the debates suggest that the lesbian and gay identities adopted as a means of resistance were becoming assimilated into 'gay or straight' binary thinking. That this was contemporaneous with the emergence of less public non-binary sexual and gender identities is significant. Their emergence can be seen as an indicator of continuing oppression. Peter Tatchell makes the point well:

But if one form of sexuality is not privileged over another, defining oneself as gay (or straight) will cease to be necessary and have no social relevance or significance. The need to maintain sexual differences, boundaries and identities disappears (or reduces radically) with the demise of straight supremacism.

Homosexuality as a separate, exclusive orientation and identity will begin to fade (so will its mirror opposite, heterosexuality), as humanity evolves into a sexually enlightened and accepting society. The vast majority of people will be open to the possibility of both opposite-sex and same-sex desires, even if they don't necessarily physically express them. Moreover, they won't feel the need to label themselves (or others) as gay or straight. In a non-homophobic culture, no one will care who loves who. That's true queer liberation.  
(Tatchell 7.8.2014)

If a clear group identity has so far been a positive means of resistance, then binarised public identities alongside below-the-public-radar non-binary identities have implications for a way forward. The former are within the existing official ideological framework, while the latter have little public voice. It suggests the need for a positive group identity to engage in political struggle is not necessarily



helpful when it comes to the difficulty of shifting the unequal social status that necessitates that struggle. As Vance points out, the struggle involves contradictory goals:

The same irresolvable tension exists within the lesbian and gay movement, which on the one hand attacks a naturalized system of sexual hierarchy which categorizes and stabilizes desires and privileges some over others, and on the other hand defends the interest of 'lesbian and gay people', which tends to reify identity and essential nature in a political process [...]. There is no solution here, since to abandon either goal for the other would be foolish. Real, live lesbians and gays need to be defended in an oppressive system, and the sexual hierarchy, which underlies that oppression, needs to be attacked on every level. (Vance 1989: 29-30)

She notes the same contradiction within feminism. Bell & Binnie make a similar argument in relation to identity politics and queer politics. They conclude:

[It] seems the choice to disidentify - to remain non-citizens - will maintain systems of exclusion and discrimination that bring real material harm to many people. (Bell & Binnie 2000: 146)

As Vance (*ibid*: 27-8) recognises and Bell & Binnie (*ibid*) imply, our LGBT identities are politically expedient. That heterosexuals increasingly feel the need to identify themselves in situations where they feel their sexuality might be in question, "indicates a growing pluralization of sexual subject positions" (Weeks 2011: 82) and must contribute to the denaturalisation of heterosexuality. Yet the necessity of sexual and gender identities is underpinned by the official imposition of the gender binary on which heterosexuality rests, and which also sustains homophobic beliefs. Arguably, LGBT identities will continue to be politically expedient as long as binarised gender categories remain compulsory.

The second site of unresolved struggle also relates to the habitual use of *heterosexual(s)*, *straight(s)*, *opposite-sex* and *mixed-sex* as comparators. As well as fostering binary thinking, they were used by pro-reform speakers to uphold heterosexuality as the benchmark for equality. In the 1990s attempted reforms, equality in law as it applied to heterosexuals was the aim. However, the reforms

in period two were within new legislation. In the case of adoption, the contested reform included unmarried heterosexual couples as well as same-sex couples, which set relationship quality against the institution of marriage. Although the Government played down the inclusion of same-sex couples in the debates, the reform included no strategic protection of heterosexuality. The Employment Regulations and Civil Partnership Act did include such protections. The former were compromised by CoE lobbying which opened a loophole for discrimination against the non-heterosexual employees of organised religion. The Regulations offered much-needed protections to secular employees, but the loophole placed organised religion above the law. Salient among the Civil Partnership protections were the ring-fencing of marriage for heterosexuals and better pension provision for bereaved spouses. Arguably, the protections were strategic to ensure the legislation's passage, or in the case of pensions financial—though reducing the heterosexual provision to spread the available finance evenly was not considered. The impetus of the debates and reforms was the admission of non-heterosexuals into existing social structures. In terms of social inclusion, the reforms were “certainly a welcome change from [an] often painful history” (Weeks 2012: 411-2). On a symbolic level and in practical ways they are supportive, but in personal terms, Civil Partnership especially has created divisions. It has made a positive difference to some (Shipman & Smart 2007; Pells 19.12.2015), but is remote from others' lives (Hines 2013: 76-82). In addition to the class issues it raised (Taylor 2008), it was premised on binarised gender and sexuality. The reforms required no material concessions of heterosexual privilege and dominance and made no provision for trans\* individuals. Ironically, since the passing of the Marriage (Same-Sex) Couples Act 2013 and the Government's failure to open Civil Partnership to heterosexuals, a heterosexual couple took their case for equal access to the High Court (Duffy 17.1.2016; Tatchell 20.1.2016) and rightly so. They lost, but have leave to appeal (Tatchell 29.1.2016). If they win on appeal,

it may loosen the reified status of heterosexual coupledness, but is unlikely to focus attention on the underlying imposition of binarised gender.

The third site of unresolved struggle concerns the ebbs, flows and mutations of homophobic beliefs. The analyses illustrate changes in both their prevalence and expression. A major shift was the decline in use of clinical terms (*homosexual/homosexuals/homosexuality*), except by the shrinking number of speakers avidly against the reforms. In Clause 28 debates, homophobic beliefs were largely assumed. Pro-Clause speakers could construct lesbian and gay community initiatives as harmful and claim 'homosexuality' (with allusions to sexual acts) was being promoted in schools. The power of assumed belief also accounts for the uncertainty and concessions of those anti-Clause speakers less familiar with 1980s sexuality politics and thus unable to forthrightly defend it. In the 1990s, the anti-reform focus on (homo)sexual acts and offences became more overt and was linked more directly to the heritage of sin and crime and underpinned by the protection of male gender boundaries. Pro-reform speakers upheld equality before the law. At this stage, despite greater support for reform, anti-reform claims held sway. By period two, the preoccupation with sexual acts and offences had sunk below the surface of what was publicly sayable. The reforms were resisted by means of euphemised protections of heterosexuality, mostly via upholding the status of heterosexual marriage and claiming children's need for heterosexual parenting. That these protections were at times conceded by pro-reform speakers testifies to their social power. With the falling resistance to reform, the anti-reform stance can be characterised as a retreat from attack to defence. The specific denials of homophobia in later debates support this. These factors support a decreasing public acceptability of homophobic beliefs. In such a social climate the potential for scapegoating is reduced, though Nigel Farage has been trying. For instance, his attempt in an election debate (ITV 2.4.2015) to scapegoat people coming to the UK with HIV met with a gasp from the studio

audience and a scold from Leanne Wood which produced the debate's first round of applause. Other party leaders were similarly critical (Payton 3.4.2015). This changed atmosphere is no reason for complacency. Public opinion can still be manipulated. Murdoch is still at it (Sherwin & Oliver 21.4.2015). The Leveson recommendations have yet to be implemented (Watson 3.12.2014). Governments change; laws can be changed—for better or worse. Worldwide, nine governments have in recent years enacted new or harsher laws against non-heterosexuals and three more have proposed such laws, while India reinstated its repealed colonial law in 2013. Of the nine, four are British Commonwealth states, one is an ex-Commonwealth state and three are former Soviet Union states including Russia. The situation is one of “growing international polarisation around sexual rights” (Altman & Symons 2016). Sexuality politics has become an easy target for states wanting to resist Western imperialism and leaders wanting to bolster control by exploiting fear and prejudice. As Baird (2004: 50-1) argues, the “most obvious and simple reason for political leaders of any stripe to wage a campaign against minorities is the oldest in the book: scapegoating”. This makes international solidarity and support for LGBT asylum seekers more important than ever.

The final site of unresolved struggle is more deeply ingrained. The silent undertow of the debates was the importance of the gender binary in sustaining homophobic beliefs. The binary was completely taken for granted by all speakers. Pro-reform speakers argued for gender equality in age of consent debates, but at no stage was the binary questioned. The analyses in Chapter 11 illustrate the importance placed on gender divisions by anti-reform speakers. In age of consent and armed forces debates, their underlying concern was the protection of male gender boundaries, as in the heritage of sin and crime. In adoption and civil partnership debates, they upheld gender divisions in joint parenting and sexual relationships in which marriage became a metaphor for heterosexuality and a euphemistic front for the homophobic beliefs underlying their resistance to

reform. In the sole anti-reform use of *trans-sexual* (HL 12.5.2004 c.136GC) Baroness O’Cathain referred to her attempt during a Gender Recognition Bill debate to allow churches to exclude ‘trans-sexuals’. Pro-reform MPs’ single uses of *transsexual* (HC 10.3.2003 c.70), *gender reassignment* (HC 12.10.2004 c.244) and *transgendered* (HC 9.11.2004 c.790) occur in supportive contexts, but within the binary. A check of the Gender Recognition debates (between 18.12.2003 and 8.6.2004) shows considerable overlap with peers and MPs for and against Civil Partnership—and for similar reasons. Marriage was contested in both: whether transsexuals should be allowed to marry; whether registrars and ministers of religion could refuse to marry them; whether a married couple should have to divorce on the transitioning of one partner. The former two occurred in attempts to derail the Bill (led by Lord Tebbit and Baroness O’Cathain). The latter arose from the Government’s ring-fencing of marriage as a heterosexual institution. Binary categorisation was not questioned even after clear scientific explanations of the biological continuum (HL 29.1.2004 cc.360-1 and HL 3.2.2004 cc.619-20). Pro-reform speakers based their arguments on ‘gender dysphoria’, thereby reinforcing the pathologisation of gender non-conformity. Anti-reform speakers did not recognise such a condition and thus did not accept it should have legal protection; they were fixated on essentialist concepts of believed ‘biological’ sex. That the gender binary was so completely taken for granted is significant. As Baker (2006: 19) argues “A hegemonic discourse can be at its most powerful when it does not even have to be invoked, because it is just taken for granted”.

Stonewall’s recent extensive consultation with trans\* people found “homophobia, transphobia and sexism are intrinsically linked” and that often “transphobic abuse is homophobic abuse” regardless of a person’s sexuality (Hunt & Manji 2015: 3). The subterranean role of binarised gender in this study’s analyses, alongside the Stonewall consultation, places binary imposition centre stage. If gender was not imposed at birth, identification one way or another, or

not at all, could become an unmarked personal choice, as could partner gender. This suggests the equality paradigm has reached the limits of its usefulness. It has resulted in LGBT people being made nominally equal to institutionalised categories which have been upheld as unmodified benchmarks. The equality agenda and resulting legislation has in many respects eased LGBT lives, but full social acceptance remains elusive. Other approaches are needed.

The recent Transgender Equality Review Report (Women and Equalities Committee 14.1.2016) is interesting—and hopeful in terms of potential change, as is recent supportive media interest (for example: New Internationalist October 2015; BBC World Service 12.1.2016). The Transgender Equality Report made a range of much-needed recommendations on behalf of trans\* people, of which the following relate to the findings of this study:

An acknowledgment that the Government needs to address the needs of non-binary and non-gendered people (p.5), plus a recommendation for it to “agree a new strategy to tackle [the trans] issues which remain unaddressed” including “a wholesale review of the issues faced by non-binary and non-gendered people” (no.3 p.79);

An acknowledgement that there “is need for greater awareness for trans people’s legal right in most contexts to have their name and gender recorded as they wish without pre-condition” (p.63), plus a recommendation that there be “an option to record gender as ‘X’ on a passport” and that in “the longer term, consideration should be given to the removal of gender from passports” (no.56, p.86);

An acknowledgement that the Government “should be moving towards the ‘non-gendering’ official records as a general principle and only recording gender where it is a relevant piece of information” (p.63), plus a recommendation to this effect (no.57, p.86);

An acknowledgement that “more needs to be done to ensure gender-variant young people get sufficient support at school” (p.75), plus a recommendation that schools “must understand their responsibilities under the Equality Act [and that] staff receive sufficient training to ensure they are compliant across all protected characteristics” (no.64, p.87),

An acknowledgement that “in its review of initial teacher training the Government should consider the inclusion of training on the” characteristics protected by the Equality Act (p.75), plus a recommendation that “trans issues (and gender issues generally) should be taught as part of Personal, Social and Health Education” (no.65, p.87).

In line with the argument set out in this study on the importance of lesbian and gay identities in the struggles for reform, the Report's recognition of non-binary and non-gendered individuals was achieved by witnesses going public with their identities and giving evidence to the Committee. Arguably, enabling people to self-identify their gender and the official recognition of non-binarised genders, alongside a progressive de-gendering of official documents, would weaken the imposition of the gender binary. It is in relation to schools that the Report's recommendations are weakest. The Report does not recommend PSHE or SRE be made a statutory requirement in all schools. Yet full implementation of the recommendations in schools is vital. As Jay Stewart of Gendered Intelligence pointed out:

There are gender divisions across the whole of our school systems [...] uniform policy, Sex and Relationship Education [SRE], Physical Education, sports, toilets, seating plans in the classroom and the ways teachers ask children to line up.

(Jay Stewart, quoted in the Women and Equalities Committee Report 14.1.2016: 72)

Pupils who do not conform to the gender assigned to them face a higher rate of bullying and discrimination than even lesbian and gay pupils (*ibid*: 73). Statutory inclusive PSHE and SRE by adequately trained teachers would help *all* pupils understand gender and sexuality issues better and help to protect all pupils who do not, or may not in the future, conform to gender or sexuality expectations; it would also be supportive of pupils with LGBT\* parents, carers and/or extended family members. To what extent the Report's recommendations will be acted on is uncertain. The Government has already rejected a proposal for compulsory SRE (Duffy 10.2.2016). Attempts to implement them will almost certainly be resisted and may well be compromised as a result of that resistance. As this study clearly shows, reform of discriminatory social structures and conditions is a long, slow and thoroughly pragmatic process.

Until November 2015 a banner commemorating the struggle for LGBT rights by Paula Stevens-Hoare hung in Westminster Hall. The legal reforms in this study were vitally important, they have contributed to social acceptance, but they are “not enough” (Tatchell 17.2.2014). Further reforms are needed and will be fought for, but other ways forward need to be found. Yet, whatever directions evolve, agency always has a context to negotiate, thus outcomes are uncertain.



## Bibliography

### **Acts of Parliament and Statutory Instruments**

Adoption and Children Act 2002, 2002 Chapter 38

<http://www.legislation.gov.uk/ukpga/2002/38/contents/enacted>  
(accessed 28.2.2012)

An Acte for the Punysshement of the vice of Buggerie 1533, Statute Book 25,  
Hen.VIII c.6 (full text in Bailey 1955 pp.147-8)

Civil Partnership Act 2004, 2004 Chapter 33

[http://www.legislation.gov.uk/ukpga/2004/33/contents/enacted\\_](http://www.legislation.gov.uk/ukpga/2004/33/contents/enacted_)  
(accessed 2.6.2010)

Criminal Law Amendment Act 1885, Statute Book 48 & 49 Vict. c.69

<http://www.irishstatutebook.ie/1885/en/act/pub/0069/print.html>  
(accessed 29.9.2012)

Criminal Law Amendment Act 1912, Statute Book 2 & 3, Geo.IV c.20

<http://www.irishstatutebook.ie/1912/en/act/pub/0020/print.html>  
(accessed 29.9.2012)

Criminal Law Amendment Act 1922, Statute Book 12 & 13, Geo.IV c.56

Criminal Justice and Public Order Act 1994, 1994 Chapter 33

<http://www.legislation.gov.uk/ukpga/1994/33/contents/enacted>  
(accessed 27.5.2011)

Criminal Justice (Scotland) Act 1980, 1980 Chapter 62

<http://www.legislation.gov.uk/ukpga/1980/62/contents/enacted>  
(accessed 2.6.2014)

Employment Equality (Sexual Orientation) Regulations 2003, Statutory  
Instruments 2003 No.1661,

<http://www.legislation.gov.uk/uksi/2003/1661/contents/made>  
(accessed 2.6.2010)

Equality Act 2006, 2006 Chapter 3

[http://www.legislation.gov.uk/ukpga/2006/3/contents/enacted\\_](http://www.legislation.gov.uk/ukpga/2006/3/contents/enacted_)  
(accessed 19.4.2013)

Equality Act 2010, 2010 Chapter 15

[http://www.legislation.gov.uk/ukpga/2010/15/contents/enacted\\_](http://www.legislation.gov.uk/ukpga/2010/15/contents/enacted_)  
(accessed 19.4.2013)

European Communities (Designation) (No.3) Order 2002, Statutory Instruments  
2002 No.1819,

<http://www.legislation.gov.uk/uksi/2002/1819/contents/made>  
(accessed 2.6.2010)

Gender Recognition Act 2004, 2004 Chapter 7

<http://www.legislation.gov.uk/ukpga/2004/7/contents/enacted>  
(accessed 15.4.2015)

Homosexual Offences (Northern Ireland) Order 1982, Statutory Instruments  
1982 No.1536 (NI 19),

<http://www.legislation.gov.uk/nisi/1982/1536/contents>  
(accessed 2.6.2014)

Local Government Act 1988, 1988 Chapter 9

<http://www.legislation.gov.uk/ukpga/1988/9/contents/enacted>  
(accessed 21.3.2010)

Offences Against the Person Act 1828, Statute Book 9, Geo. IV c.31

Offences Against the Person Act 1861, Statute Book 24 & 25, Vict.c.100

<http://www.legislation.gov.uk/ukpga/Vict/24-25/100/contents/enacted>  
(accessed 29.9.2012)

Sexual Offences Act 1956, Statute Book 4 & 5, Eliz.2 Ch.69

<http://www.legislation.gov.uk/ukpga/Eliz2/4-5/69/contents/enacted>  
(accessed 29.9.2012)

Sexual Offences Act 1967, Elizabeth II Ch.60

<http://www.legislation.gov.uk/ukpga/1967/60/contents/enacted>  
(accessed 29.12.2012)

Vagrancy Act 1898, Statute Book 61 & 62, Vict. c.39

## **Hansard**

Hansard (5.5.1828) HC 'Law of Evidence Bill-Offences Against the Person Bill',  
vol.19 cc.350-360

Hansard (14.2.1861) HC 'Criminal Law (England and Ireland) Consolidation and  
Amendment', vol.161 cc.439-448

Hansard (21.6.1861) HL 'Criminal Law Consolidation', vol.163 cc.1376-1378

Hansard (5.7.1861) HL 'Criminal Law Consolidation', vol.164 cc.370-371

Hansard (15.7.1861) HC 'Consideration' (Offences Against the Person Bill),  
vol.164 cc.924-933

Hansard (30.7.1861) HL 'Criminal Law Bills', vol.164 cc.1779-1783

- Hansard (6.8.1885) HC 'Criminal Law Amendment Bill [HL]',  
vol.300 cc.1386-1428
- Hansard (4.8.1898) HL 'Vagrancy Act Amendment Bill', vol.64 cc.23-24
- Hansard (12.11.1912) HC 'Criminal Law Amendment (White Slave Traffic) Bill',  
vol.43 cc.1842-1950
- Hansard (11.12.1912) HC 'Criminal Law Amendment (White Slave Traffic) Bill',  
vol.45 cc.699-734
- Hansard (4.8.1921) HC 'Criminal Law Amendment Bill [HL]',  
vol.300 cc.1799-1807
- Hansard (15.8.1921) HL Commons amendment 'Criminal Law Amendment Bill  
[HL]', vol.43 cc.567-577
- Hansard (7.11.1955) HC 'Foreign Office Officials (Disappearance)',  
vol.545 cc.1483-1611
- Hansard (22.11.1955) HL 'Disappearance of Burgess and Maclean',  
vol.194 cc.708-731 & cc.732-750
- Hansard (26.11.1958) HC 'Homosexual Offences and Prostitution',  
vol.596 cc.365-508
- Hansard (29.6.1960) HC 'Wolfenden Report (Part Two)' vol.625 cc.1453-1514
- Hansard (9.3.1962) HC 'Sexual Offences Bill', vol.655 cc.843-860
- Hansard (24.5.1965) HL 'Sexual Offences Bill [HL]',  
vol.266 cc.631-652 & cc.654-712
- Hansard (11.2.1966) HC 'Sexual Offences Bill [HL]', vol.724 cc.782-874
- Hansard (10.5.1966) HL 'Sexual Offences No.2 Bill [HL]', vol.274 cc.605-652
- Hansard (3.7.1967) HC 'Amendment of Law Relating to Homosexual acts in  
Private', vol.749 cc.1403-1459
- Hansard (3.7.1967) HC 'Revised Punishments for Homosexual Acts',  
vol.749 cc.1459-1491
- Hansard (10.5.1977) HL 'Sexual Offences (Scotland) Bill [HL]', vol.383 cc.164-195
- Hansard (14.6.1977) HL 'Sexual Offences (Amendment) Bill [HL]',  
vol.384 cc.11-23 & cc.30-74
- Hansard (14.6.1977) HL 'Sexual Offences (Scotland) Bill [HL]', vol.384 cc.75-96
- Hansard (25.10.1982) HC 'Northern Ireland (Homosexual Offences)',  
vol.29 cc.883-853
- Hansard (26.10.1982) HL 'Homosexual Offences (Northern Ireland) Order 1982',  
vol.435 cc.412-425
- Hansard (24.7.1984) HC 'Rate Support Grant', vol.64 cc.828-850
- Hansard (21.11.1985) HC 'Armed Forces Bill', vol.87 cc.433-468

- Hansard (10.4.1986) HC 'Armed Forces Bill', vol.95 cc.410-470
- Hansard (7.5.1986) HL 'Schools: Investment in Education and Science',  
vol.474 cc.707-772
- Hansard (19.5.1986) HL 'Armed Forces Bill', vol.475 cc.23-69
- Hansard (20.5.1986) HL 'Education (No.2) Bill [HL]', vol.475 cc.215-282
- Hansard (28.7.1986) HL question (Lord Monson) 'Haringey Council: School  
Lessons', vol.479 cc.552-4
- Hansard (17.11.1986) HC 'Local Government and Scotland', vol.105 cc.332-408
- Hansard (25.11.1986) HL 'Local Government Act 1986 (Amendment) Bill [HL]',  
vol.482 c.438
- Hansard (5.12.1986) HC 'Local Government', vol.106 cc.1182-1252
- Hansard (18.12.1986) HL 'Local Government Act 1986 (Amendment) Bill [HL]',  
vol.483 cc.310-338
- Hansard (3.2.1987) HL 'Local Government Act 1986 (Amendment) Bill [HL]',  
vol.484 cc.179-183
- Hansard (4.2.1987) HL 'Local Authorities: Policies', vol.484 cc.205-301
- Hansard (11.2.1987) HL 'Local Government Act 1986 (Amendment) Bill [HL]',  
vol.484 cc.706-709
- Hansard (8.5.1987) HC 'Amendment of Local Government Act 1986', vol.115  
cc.997-1014
- Hansard (14.5.1987) HC question (Jill Knight) to Mrs Thatcher vol.116 c.413
- Hansard (27.11.1987) HC 'Freedom of the Press', vol.123 cc.509-574
- Hansard (15.12.1987) HC 'Prohibition on Promoting Homosexuality by Teaching  
or by Publishing Material', vol.124 cc.987-1038
- Hansard (15.12.1987) HC 'Local Government Bill' vol.124 cc.1039-1043
- Hansard (11.1.1988) HL 'Local Government Bill', vol.492 cc.947-1033
- Hansard (1.2.1988) HL 'Local Government Bill', vol.492 cc.833-899
- Hansard (1.2.1988) HL 'Local Government Bill', vol.492 cc.928-974
- Hansard (2.2.1988) HL 'Local Government Bill', vol.492 cc.993-1065
- Hansard (16.2.1988) HL 'Local Government Bill', vol.493 cc.585-643
- Hansard (29.2.1988) HL 'Local Government Bill', vol.494 cc.49-84
- Hansard (8.3.1988) HC question (Jill Knight) to Mrs Thatcher, vol.129 cc.186-7
- Hansard (9.3.1988) HC 'Local Government Bill', vol.129 cc.340-342
- Hansard (9.3.1988) HC 'Prohibition on Promoting Homosexuality by Teaching or  
by Publishing Material', vol.129 cc.370-432
- Hansard (17.6.1991) HC 'Armed Forces (Discipline)', vol.193 cc.90-119
- Hansard (5.7.1991) HL 'Armed Forces Bill', vol.530 cc.1188-1203

- Hansard (24.7.1991) HL 'Armed Forces Bill', vol.532 cc.801-820
- Hansard (17.6.1992) HC 'Armed Forces Discipline', vol.209 cc.989-1012
- Hansard (23.6.1992) HL 'Army, Air Force and Naval Discipline Acts (Continuation) Order 1992', vol.538 cc.387-397
- Hansard (18.2.1993) HC question (Michael Brown) 'Armed Forces (Sexual Behaviour)', vol.219 c.285W
- Hansard (19.2.1993) HC question (Michael Brown) 'Armed Forces (Sexual Offences)', vol.219 c.358W
- Hansard (21.6.1993) HC 'Armed Forces Discipline', vol.227 cc.121-145
- Hansard (9.7.1993) HL 'Army, Air Force and Naval Discipline Acts (Continuation) Order 1993', vol.547 cc.1689-1698
- Hansard (30.11.1993) HC question (Harry Cohen) 'Lesbians and Gay Men', vol.233 cc.526-8W
- Hansard (1.12.1993) HC question (Mike Watson) 'Lesbians and Gay Men', vol.233 c.607W
- Hansard (16 12.1993) HC question (Edwina Currie) 'Merchant Navy (Homosexuality)', vol.234 c.824W
- Hansard (16 12.1993) HL question (Lord Gainford) 'Sexual Offences Act 1967, Section 2', vol.550 cc.140-1WA
- Hansard (8.2.1994) HC question (Edwina Currie) 'Homosexuality', vol.237 c.235W
- Hansard (8.2.1994) HC question (Edwina Currie) 'Merchant Navy (Homosexuality)', vol.237 c.235W
- Hansard (21.2.1994) HC 'Amendment of the Law Relating to Sexual Acts between Men', vol.238 cc.74-123
- Hansard (11.3.1994) HC 2 questions (Chris Smith) 'Homosexuality', vol.239 c.420W
- Hansard (12.4.1994) HC 'Extension of Sexual Offences Act 1967 to the Armed Forces and Merchant Navy', vol.241, cc.169-172
- Hansard (13 4.1994) HC Homosexuality on Merchant Ships and in the Armed Forces: Northern Ireland, vol.241 c.224
- Hansard (13.4.1994) HC 'Age at which Homosexual Acts Lawful', vol.241 cc.345-347
- Hansard (22.4.1994) HC question (Harry Cohen) 'Homosexuality', vol.241 cc.712-3W
- Hansard (25.4.1994) HL question (Lord Gainford) 'Homosexuality in the Armed Forces', vol.554 c.24WA

- Hansard (25.4.1994) HL 'Criminal Justice and Public Order Bill',  
vol.554 cc.380-402 & cc.413-510
- Hansard (5.5.1994) HC question (Barbara Roche) 'Homosexual Services  
Personnel', vol.242 c.587W
- Hansard (19.5.1994) HL question (Lord Vivian) 'Armed Forces Dismissal  
Compensation Entitlement', vol.555 c.18WA
- Hansard (20.5.1994) HC question (Paul Flynn) 'Homosexual Service Personnel',  
vol.243 c.603W
- Hansard (6.6.1994) HL question (Lord Orr-Ewing) 'NATO: homosexuals in the  
Armed Forces', vol.555 c.71WA
- Hansard (20.6.1994) HL 'Criminal Justice and Public Order Bill',  
vol.556 cc.10-67 & cc.74-168
- Hansard (12.7.1994) HL 'Criminal Justice and Public Order Bill',  
vol.556 cc.1714-1803
- Hansard (18.7.1994) HL 'Army, Air Force and Naval Discipline Acts  
(Continuation) Order 1994', vol.557 cc.106-116
- Hansard (19.7.1994) HL 'Criminal Justice and Public Order Bill',  
vol.557 cc.143-228
- Hansard (18.1.1995) HC questions (Davis Clark) 'Homosexuality' vol.252 c.550W
- Hansard (23.5.1995) HL question (Lord Boardman) 'Armed Forces: Exclusion of  
Homosexuals', vol.564 cc.913-5
- Hansard (26.6.1995) HL 'Army, Air Force and Naval Discipline Acts  
(Continuation) Order', vol.565 cc.589-598
- Hansard (13.12.1995) HC 'Armed Forces Bill', vol.268 cc.1024-1069
- Hansard (6.2.1996) HC question (Michael Brown) 'Homosexuality', vol.271 c.123
- Hansard (6.3.1996) HC 'European Convention on Human Rights',  
vol.273 cc.308-316
- Hansard (13.3.1996) HL questions (Lord Lester) 'Armed Forces: Homosexuality  
Policy', vol.570 cc.67-8WA
- Hansard (18.3.1996) HL question (Lord Lester) 'Armed Forces: Homosexuality  
Policy', vol.570 c.87WA
- Hansard (27.3.1996) HL 'Sexual Orientation Discrimination Bill [HL]',  
vol.570 cc.1806-1816
- Hansard (1.4.1996) HL question (Lord Lester) 'Armed Forces: Attitude Survey',  
vol.571 cc.4-5WA
- Hansard (9.5.1996) HC 'Sexual Conduct to Prejudice of Good Order and  
Discipline', vol.277 cc.481-512

- Hansard (9.5.1996) HC 'Armed Forces Bill', vol.277 cc.512-521
- Hansard (3.6.1996) HL 'Armed Forces Bill', vol.572 cc.1100-1150
- Hansard (18.7.1996) HL 'Armed Forces Bill', vol.574 cc.1140-1162
- Hansard (12.11.1997) HC 'European Communities (Amendment) Bill',  
vol.300 cc.910-1007
- Hansard (24.11.1997) HL 'Human Rights Bill [HL]', vol.583 cc.771-817
- Hansard (15.1.1998) HC 'The Meaning of "The Treaties" and "The Community of  
Treaties"', vol.304 cc.500-579
- Hansard (19.1.1998) HL 'Human Rights Bill [HL]', vol.584 cc.1317-1363
- Hansard (5.2.1998) HL 'Human Rights Bill [HL]', vol.585 cc.747-842
- Hansard (27.4.1998) HL 'European Communities (Amendment) Bill',  
vol.589 cc.12-76
- Hansard (9.2.1999) HC 'The Employment Relations Bill', vol.325 cc.130-226
- Hansard (30.3.1999) HC 'Discrimination in the Work-Place on Grounds of Age  
and Sexual Orientation', vol.328 cc.930-961
- Hansard (16.6.1999) HL 'Work-Place Discrimination (Sexual Orientation)',  
vol.602 cc.345-348
- Hansard (16.6.1999) HL 'Discrimination in the Work-Place (General Prohibition),  
vol.602 cc.348-361
- Hansard (8.7.1999) HL 'Discrimination in the Workplace on Grounds of Sexual  
Orientation: National Security Employees', vol.603 cc.1101-1143
- Hansard (15.7.1999) HL 'Discrimination in the Work-Place on Grounds of Sexual  
Orientation', vol.604 cc.561-583
- Hansard (8.11.1999) HC question (Gerald Howarth) 'Armed Forces  
(Homosexuals)' vol.337 cc.684-6
- Hansard (12.1.2000) HC statement 'Armed Forces (ECHR)' vol.342 cc.287-301
- Hansard (24.10.2000) HC 'The Employment (Religious Beliefs) Bill',  
vol.355 cc.155-159
- Hansard (30.3.2001) HC 'Adoption and Children Bill', vol.365 cc.1203-1260
- Hansard (24.10.2001) HC 'Relationships (Civil registration)', vol.373 cc.321-327
- Hansard (29.10.2001) HC 'Adoption and Children Bill', vol.373 cc.649-726
- Hansard (23.11.2001) HC 'The Relationships (Civil Registration) Bill',  
vol.375 cc.639-641
- Hansard (9.1.2002) HL 'The Civil Partnerships Bill [HL]', vol.630, c.561
- Hansard (24.1.2002) HC 'Business of the House', vol.378 c.1023
- Hansard (25.1.2002) HL 'The Civil Partnerships Bill [HL]', vol.630, cc.1691-1746
- Hansard (31.1.2002) HC 'Business of the House', vol.379 c.443

- Hansard (20.3.2002) HC 'Adoption and Children Bill', (Programme) (No.3)  
vol.382 cc.374-379
- Hansard (20.3.2002) HC 'Adoption and Children Bill', vol.382 cc.380-408
- Hansard (7.5.2002) HC 'Adoption', vol.385 cc.7-10
- Hansard (16.5.2002) HC 'Adoption and Children Bill', vol.385 cc.965-1007
- Hansard (20.5.2002) HC 'Adoption and Children Bill', vol.386 cc.22-96
- Hansard (20.5.2002) HC 'Adoption and Children Bill', vol.386, cc.97-122
- Hansard (10.6.2002) HL 'Adoption and Children Bill',  
vol.636 cc.20-33 & cc.46-115
- Hansard (24.6.2002) HL 'Adoption and Children Bill', vol.636 cc.1-60GC
- Hansard (4.7.2002) HL 'Adoption and Children Bill', vol.637 cc.181-226GC
- Hansard (11.7.2002) HL 'Adoption and Children Bill', vol.637 cc.227-276GC
- Hansard (25.7.2002) HL request for re-committal (Lord Campbell) 'Adoption and  
Children Bill', vol.638 cc.536-543
- Hansard (16.10.2002) HL 'Adoption and Children Bill', vol.639 cc.860-950
- Hansard (30.10.2002) HL 'Adoption and Children Bill', vol.640 cc.199-251
- Hansard (4.11.2002) HC 'Suitability of Adopters', vol.392 cc.24-100
- Hansard (5.11.2002) HL 'Adoption and Children Bill', vol.640 cc.567-634
- Hansard (9.12.2002) HC 'Points of Order', vol.396 cc.37-8
- Hansard (14.1.2003) HL question (Lord Lester) 'Civil Partnerships'  
vol.643 c.26WA
- Hansard (10.3.2003) HC 'Repeal of Section 2A of Local Government Act 1986',  
vol.401 cc.49-130
- Hansard (22.5.2003) HL question (Lord Lester) 'Civil Partnerships',  
vol.648 c.105WA
- Hansard (12.6.2003) HL question (Lord Lester) 'Civil Partnerships',  
vol.649 c.52WA
- Hansard (17.6.2003) HL 'Employment Equality (Sexual Orientation) Regulations',  
vol.649 cc.751-784
- Hansard (17.6.2003) HL question (Lord Lester) 'Employment Equality (Sexual  
Orientation) Regulations 2003', HL vol.649 c.93WA
- Hansard (18.6.2003) HC question (Angela Eagle) 'Employment Equality (Sexual  
Orientation) Regulations', vol.407 c.327 W
- Hansard (23.6.2003) HC request for approval of draft Regulations 'Sexual  
Orientation Discrimination', vol.407 c.833
- Hansard (25.6.2003) HC vote 'Sexual Orientation Discrimination', vol.407 c.1177
- Hansard (30.6.2003) HC question (Huw Edwards) 'Atypical Workers',



vol.408 cc.16-7

Hansard (30.6.2003) HC question (David Rendel) 'Clergy Recruitment',  
vol.408 c.18

Hansard (30.6.2003) HC 'Same-sex Couples', vol.408 c.2 WS

Hansard (1.7.2003) HC 'Points of Order', vol.408 cc.174-7

Hansard (1.7.2003) HL question (Lord Lester) 'Employment Equality (Sexual  
Orientation) Regulations 2003', vol.650 cc.95-6WA

Hansard (7.7.2003) HC question (Vince Cable) 'Employment Legislation',  
vol.408 cc.568-9W

Hansard (11.9.2003) HC question (Brian Cotter) 'Employment Legislation',  
vol.410 cc.428-9W

Hansard (14.7.2003) HL questions 'Civil Partnerships' (Lord Lester),  
vol.651 cc.76-8 WA

Hansard (15.6.2003) HC question (Evan Harris) 'Sexual Orientation (Employees),  
vol.410 cc.585-586

Hansard (8.9.2003) HL questions (Lord Lester) 'Civil Partnerships',  
vol.652 cc.76-9 WA

Hansard (13.11.2003) HC questions (David Borrow and Henry Bellingham)  
'Employment Discrimination', vol.413 cc.399-400W

Hansard (26.11.2003) HL 'The Queen's Speech', vol.655 cc.1-5

Hansard (26.11.2003) HC 'Debate on the Address', vol.415 cc.8-117

Hansard (26.11.2003) HL 'Address in Reply', vol.655 cc.5-22

Hansard (27.11.2003) HL 'Address in Reply', vol.415 cc.25-94

Hansard (1.12.2003) HL 'Address in Reply', vol.655 cc.106-172

Hansard (16.12.2003) HC question (Michael Fabricant) 'Employment  
Regulations', vol.415 c.813W

Hansard (18.12.2003) HL 'Gender Recognition Bill [HL]', vol.655 cc.1287-1326

Hansard (19.12.2003) HC question (Henry Bellingham) 'Equal Treatment at Work  
Directive', vol.416 c.114W

Hansard (13.1.2004) HL 'Gender Recognition Bill [HL]', vol.656 cc.1-62GC

Hansard (14.1.2004) HL 'Gender Recognition Bill [HL]', vol.656 cc.63-134GC

Hansard (29.1.2004) HL 'Gender Recognition Bill [HL]', vol.656 cc.357-436

Hansard (3.2.2004) HL 'Gender Recognition Bill [HL]', vol.656 cc.616-670

Hansard (10.2.2004) HL 'Gender Recognition Bill [HL]', vol.656 cc.1060-1092

Hansard (23.2.2004) HC 'Gender Recognition Bill [HL]', vol.418 cc.48-108

Hansard (30.3.2004) HL 'Civil Partnership Bill [HL]', vol.659 c.1176

Hansard (22.4.2004) HL 'Civil Partnership Bill [HL]', vol.660 cc.387-433

- Hansard (10.5.2004) HL ‘Civil Partnership Bill [HL]’, vol.661 cc.1-60GC
- Hansard (12.5.2004) HL ‘Civil Partnership Bill [HL]’, vol.661 cc.115-180GC
- Hansard (13.5.2004) HL ‘Civil Partnership Bill [HL]’, vol.661 cc.181-238GC
- Hansard (17.5.2004) HL ‘Civil Partnership Bill [HL]’, vol.661 cc.239-264GC
- Hansard (25.5.2004) HL ‘Civil Partnership Bill [HL]’, vol.661 cc.449-526GC
- Hansard (25.5.2004) HC ‘Gender Recognition Bill [HL]’, vol.421, cc.1445-1539
- Hansard (8.6.2004) HL ‘Gender Recognition Bill [HL]’, vol.662, cc.149-153
- Hansard (24.6.2004) HL ‘Civil Partnership Bill [HL]’,  
vol.662 cc.1354-1391 & cc.1406-1462
- Hansard (1.7.2004) HL ‘Civil Partnership Bill [HL]’, vol.663 cc.391-430
- Hansard (20.7.2004) HC ‘Iraq’, vol.424 cc.195-268
- Hansard (7.9.2004) HL ‘Iraq’, vol.664 cc.448-556
- Hansard (12.10.2004) HC ‘Civil Partnership Bill [HL]’, vol.425 cc.174-257
- Hansard (9.11.2004) HC ‘Civil Partnership Bill [HL]’, vol.426 cc.724-815
- Hansard (17.11.2004) HL consideration of Commons amendments, ‘Civil  
Partnership Bill’, vol.666 cc.1449-1530
- Hansard (9.5.2013) HL ‘Queen’s Speech Debate (2nd Day)’, cc.26-126

### **Official Reports and Records**

- Butler Report (14.7.2004) ‘House of Commons Review of Intelligence on Weapons  
of Mass Destruction’, London: HMSO
- EC Framework Directive 2000/78/EC,  
[http://osha.europa.eu/en/legislation/directives/sector-specific-and-work  
er-related-provisions/osh-related-aspects/council-directive-2000-78-ec](http://osha.europa.eu/en/legislation/directives/sector-specific-and-worker-related-provisions/osh-related-aspects/council-directive-2000-78-ec)  
(accessed 23.7.2012)
- European Commission on Human Rights (19.1.1995) Application No. 22382/93  
Ralph Wilde, Hugo Greenhalgh and William Parry v the United Kingdom,  
<http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-2013>  
(accessed 24.8.2014)
- European Commission of Human Rights (21.5.1996) Application No. 25186/94  
Euan Sutherland v the United Kingdom,  
<http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-2910>  
(accessed 24.8.2014)
- European Court of Human Rights (22.10.1981) ‘Case of Dudgeon v the United  
Kingdom’, Application 7525/76, Judgement, Strasbourg,  
<http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-57473>

(accessed 27.5.2014)

European Court of Human Rights (27.9.1999) 'Case of Lustig-Prean and Beckett v the United Kingdom', Application nos.31417/96 and 32377/96, Judgement, Strasbourg,  
<http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-58407>  
 (accessed 24.8.2014)

European Court of Human Rights (27.9.1999) 'Case of Smith and Grady v the United Kingdom', Application nos. 33985/96 and 33986/96, Judgement, Strasbourg,  
<http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-58408>  
 (accessed 24.8.2014)

European Court of Human Rights (27.3.2001) 'Case of Sutherland v the United Kingdom', Application 25186/94, Judgement (Striking Out),  
<http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-59354>  
 (accessed 24.8.2014)

European Court of Human Rights (26.2.2002) 'Case of Frette v France', Application 36515/97, Judgement, Strasbourg,  
<http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-60168>  
 (accessed 16.11.2014)

House of Commons Research Paper 98/24 (13.2.1998) 'The Human Rights Bill',  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_1998.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_1998.cfm) (accessed 7.1.2011)

House of Commons Research Paper 98/26 (13.2.1998) 'The Human Rights Bill: Churches and Religious Organisations',  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_1998.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_1998.cfm) (accessed 7.1.2011)

House of Commons Research Paper 98/68 (19.6.1998) 'Age of Consent for Homosexual Acts',  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_1998.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_1998.cfm) (accessed 7.1.2011)

House of Commons Research Paper 99/11 (5.2.1999) 'The Employment Relations Bill' 1998-9,  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_1999.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_1999.cfm) (accessed 7.1.2011)

House of Commons Research Paper 00/12 (4.2.2000) 'The *Armed Forces Discipline Bill*' [HL], Bill 53 of 1999-2000,  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/](http://www.parliament.uk/parliamentary_publications_and_archives/)

- [research\\_papers/library\\_research\\_2000.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_2000.cfm) (accessed 1.11.2009)
- House of Commons Research Paper 00/47 (6.4.2000) 'The *Local Government Bill* [HL]: the Section 28' debate', Bill 87 of 1999-2000,  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_2000.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_2000.cfm) (accessed 21.10.2009)
- House of Commons Research Paper 01/33 (23.3.2001) 'The *Adoption and Children Bill*', Bill 66 of 2000-1,  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_2001.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_2001.cfm) (accessed 24.10.2009)
- House of Commons Research Paper 01/78 (26.10.2001) 'The *Adoption and Children Bill*', Bill 34 of 2001-2,  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_2001.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_2001.cfm) (accessed 24.10.2009)
- House of Commons Research Paper 02/17 (19.3.2002) 'The *Relationships (Civil Registration) Bill* and the *Civil Partnership Bill*' [HL],  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_2002.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_2002.cfm) (accessed 13.1.2011)
- House of Commons Research Paper 03/54 (9.6.2003) 'Employment Equality Regulations: Religion and Sexual Orientation',  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_2003.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_2003.cfm) (accessed 24.10.2009)
- House of Commons Research Paper 04/64 (7.9.2004) 'The *Civil Partnership Bill* [HL]': background and debate, Bill 132 of 2003-4,  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_2004.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_2004.cfm) (accessed 24.10.2009)
- House of Commons Research Paper 04/65 (7.9.2004) 'The *Civil Partnership Bill* [HL]': the detail and legal implications, Bill 132 of 2003-4,  
[http://www.parliament.uk/parliamentary\\_publications\\_and\\_archives/research\\_papers/library\\_research\\_2004.cfm](http://www.parliament.uk/parliamentary_publications_and_archives/research_papers/library_research_2004.cfm) (accessed 24.10.2009)
- House of Commons Standing Committee A Official Report (8.12.1987), 'Local Government Bill', cc.1199-1232, London: HMSO
- House of Commons Select Committee Special Report (7.5.1996) 'Armed Forces Bill': Report together with the Proceedings of the Committee, Minutes of Evidence and Appendices, London: HMSO
- House of Commons 4th Standing Committee Report on Delegated Legislation (17.6.2003) 'Draft Employment Equality (Religion or Belief) Regulations 2003' and 'Draft Employment Equality (Sexual Orientation) Regulations

2003', cc.003-054,

<http://www.publications.parliament.uk/pa/cm200203/cmstand/deleg4/st030617/30617s01.htm> (accessed 17.6.2012)

House of Commons Standing Committee D (19.10.2004) 'Civil Partnership Bill', cc.003-038,

<http://www.publications.parliament.uk/pa/cm200304/cmstand/d/st041019/am/41019s01.htm> (accessed 1.10.2012)

Joint Committee on Human Rights (22.6.2011) 'The UK's bilateral extradition treaties: US-UK Extradition Treaty 2003',

<http://www.publications.parliament.uk/pa/jt201012/jtselect/jtrights/156/15608.htm> (accessed 27.12.2014)

Iraq Inquiry (2009-2013) official website:

<http://www.iraqinquiry.org.uk> (last accessed 1.1.2015)

Iraq Inquiry (8.12.2009) 'Transcript of evidence given by Sir Jon Scarlett', (Chair of the Joint Intelligence Committee 2001-2004),

<http://www.iraqinquiry.org.uk/media/40665/20091208pmscarlett-final.pdf> (accessed 1.1.2015)

Iraq Inquiry (27.1.2010) 'Transcript of evidence given by the Rt. hon. Lord Peter Goldsmith, QC', (Attorney General for the Blair Government),

<http://www.iraqinquiry.org.uk/media/45317/20100127goldsmith-final.pdf> (accessed 1.1.2015)

Iraq Inquiry (27.7.2010) 'Transcript of evidence given by Dr Hans Blix', (Executive Chair UNMOVIC),

<http://www.iraqinquiry.org.uk/media/51945/20100727-blix-final.pdf> (accessed 1.1.2015)

Leveson Inquiry (2011-2012) official website:

<http://www.levesoninquiry.org.uk> (accessed 30.11.2012)

Levison, Lord Brian (29.11.2012) 'The Levison Report: An inquiry into the culture, practices and ethics of the press', vol.3, pp.1117-1476, 'The Press and Politicians',

[http://www.official-documents.gov.uk/document/hc1213/hc07/0780/0780\\_iii.asp](http://www.official-documents.gov.uk/document/hc1213/hc07/0780/0780_iii.asp) (accessed 30.11.2012)

Ofsted (19.6.2012) 'No place for bullying',

<http://www.ofsted.gov.uk/resources/no-place-for-bullying> (accessed 19.6.2012)

Women and Equality Unit (2003a) 'Civil Partnership: A framework for the legal recognition of same-sex couples', DTI,

<http://www.equalities.gov.uk/search.aspx?terms=%22Women+%26+Equality+Unit%2c+Civil+Partnership+%2c+2013+A+framework+for+the+legal+recognition+of+same+sex+couples%2c+June+2003%22>

(accessed 21.2.2011)

Women and Equality Unit (2003b) 'Responses to Civil Partnership: A framework for the legal recognition of same-sex couples', DTI,  
<http://www.equalities.gov.uk.aspx?terms=%22responses+to+civil+partnership%22> (accessed 27.1.2011)

Women and Equalities Committee (14.1.2016) 'Transgender Equality: First Report of Session 2015-16', Report, together with formal minutes relating to the report, London: HMSO

### **News: Reports, Commentary and Interviews**

Andalo, Debbie (9.10.2003) 'NEW LEGISLATION: IT HAS BEEN A LONG TIME COMING', The Guardian Special Supplement, p.2, London: Guardian Media Group

Aston, John (15.5.1995) 'QC MOUNTS SCATHING ATTACK ON GAY BAN IN MILITARY', The Press Association, London: PA News

Aston, John (16.5.1995) 'MILITARY BAN ON GAYS NOT A MATTER FOR THE COURTS', The Press Association, London: PA News

Aston, John (17.5.1995) 'LEAVE GAYS IN ARMED FORCES ROW TO PARLIAMENT, JUDGES URGED', The Press Association, London: PA News

Aston, John (19.5.1995) 'GAYS MUST WAIT FOR ARMED FORCES RULING', The Press Association, London: PA News

Aston, John (11.10.1995) 'JUDGES MARK TIME OVER MILITARY BAN ON GAYS', Press Association, London: PA News

Baird, Vanessa (October 2015) 'The trans revolution', New Internationalist 486, pp.12-16, Oxford: New Internationalist Co-operative

Baldwin, Tom (17.5.2002) 'Gay adoption go-ahead leaves Tories in disarray', The Times, London: News International (accessed on Nexis, no page number given)

Baldwin, Tom (17.5.2002) 'Gay adoption go-ahead leaves Tories in disarray', The Times, London: News International (accessed on Nexis, no page number given)

Bates, Stephen (2.5.2003) 'Equality law must bind church, say gay Christians', The Guardian, p.15, London: Guardian Media Group

- Bates, Stephen (12.2.2004) 'Church softens line on gay couples', The Guardian, p.5, London: Guardian Media Group
- BBC News (12.12.2005) 'Third of MPs privately schooled',  
<http://news.bbc.co.uk/1/hi/education/451415.stm>  
 (accessed 14.3.2011)
- Beaumont, Peter & McSmith, Andy (23.4.1995) 'LABOUR DEFENDS 'OLD' POLICY ON HOMOSEXUALS IN ARMED FORCES', The Observer, p.3, London: Lonrho
- Belfast News Letter (25.6.2004) 'ULSTER PEERS UNITE TO STOP SAME-SEX MARRIAGE PLANS', p.10, Belfast: Johnston Publishing
- Bell, Christopher (21.6.1994) 'Victory for peers over Forces gays', Daily Mail, p.7, London: Associated Newspapers
- Bellamy, Christopher (20.3.1996) 'MPs told of lesbian wren's rape ordeal', The Independent p.2, London: Independent News and Media
- Bennett, Rosemary & Hurst, Greg (6.11.2002) 'MPs who triggered Tory troubles', The Times, p.6, London: News International
- Bennett, Rosemary (10.2.2004) 'Howard shares his very British vision', The Times, p.12, London: News International
- Bercow, John (2.1.2003) 'Tories must stop pretending that gay couples don't exist', Daily Telegraph, p.20, London: Telegraph Media Group
- Berkins, Lohana (June 2013) 'Trans revolutionary', New Internationalist 463, pp.25-6, Oxford: New Internationalist Co-operative
- Blackhurst, Chris (15.2.1994) 'Suspected gay MPs face pressure to marry', The Independent, p.1, London: Independent News and Media
- Blackhurst, Chris (21.1.1995) 'Government gives police gay register', The Independent, p.1, London: Independent News and Media
- Blackman, Oonagh (17.10.2002) 'LORDS REJECT ADOPTION BY GAY COUPLES' Daily Mirror, p.2, London: Mirror Group Newspapers
- Blackman, Oonagh (5.11.2002) 'PORTILLO STILLETOES IDS OVER ADOPTION', Daily Mirror, p.14, London: Mirror Group Newspapers
- Blitz, James (16.7.2012) 'Chilcot announces delay to Iraq report', The Financial Times, London: Pearson  
<http://www.ft.com/cms/s/0/c0b6df42-cf63-11e1-bfd9-00144feabc0.html#axzz2BiMoUGP> (accessed 20.7.2012)
- Bonthrone, P.J. & Jones, George (14.5.2002) 'Bishop joins critics of gay adoption plan', Daily Telegraph p.9, London: Telegraph Media Group
- Bowcott, Owen (16.5.1995) 'PERVERSE MILITARY BAN TESTED BY GAYS', The



- Guardian p.1, London: Guardian Media Group
- Bowcott, Owen (10.10.1995) 'SACKED GAYS RENEW FIGHT AGAINST MOD', The Guardian p.8, London: Guardian Media Group
- Bowcott, Owen (12.10.1995) 'JUDGEMENT RESERVED IN CHALLENGE BY GAYS', The Guardian p.9, London: Guardian Media Group
- Bowcott, Owen & Fairhall, David (13.1.1996) 'FORCES SEEK GAY BAN FALLBACK', The Guardian p.5, London: Guardian Media Group
- Bowcott, Owen, Stewart, Ben & Zinn, Chris (5.3.1996) 'MINISTER FIRM AGAINST GAYS IN THE MILITARY', The Guardian p.7, London: Guardian Media Group
- Bradshaw, David (5.3.1996) 'NO GAYS ON PARADE', Daily Mirror, pp.6-7, London: Mirror Group Newspapers
- Brogan, Benedict (4.11.2002) 'Tories defiant over homosexual adoption', Daily Telegraph, p.8, London: Telegraph Media group
- Brown, Colin (4.3.1996) 'Gay groups to fight forces ban', The Independent p.1, London: Independent News and Media
- Brown, Colin (8.5.1996) 'Labour faces rift over vote on gays in forces', The Independent p.2, London: Independent News and Media
- Burdon, Jackie (7.1.1995) 'DEFENCE MINISTRY ACCUSED OF KEEPING SECRET GAY LIST', London: The Press Association, PA News
- Capital Gay (13.1.1995) 'Covert gay list exposed', London (copy at the LAGNA archives, no page number given)
- Carrell, Severin & Goodchild, Sophie (18.7.2004) 'ATTORNEY GENERAL WARNED BLAIR ON LEGALITY OF WAR', The Independent, p.1, London: Independent News and Media
- Castle, Stephen & Routledge, Paul (20.2.1994) 'Major to back gay sex at 18', The Independent on Sunday, p.2, London: Independent News and Media
- Cecil, Nic (17.10.2002) 'PEERS KILL PLAN TO LET GAYS AND UNWED ADOPT', The Sun, London: News International (accessed on Nexis, no page number given)
- Charter, David (8.5.2002) 'Pledge of free vote on gay adoption', The Times, London: News International (accessed on Nexis, no page number given)
- Charter, David (10.11.2004) 'MPs back equality for gay couples', The Times, p.17, London: News International
- Chittenden, Maurice & Clarke, Steve (4.11.1990) 'Dirty tricks' row over TV's pursuit of Thatcher man', The Sunday Times, London: News International
- City Limits (20.10.1988) 'Right out to lunch: on the Tories loony fringe', p.9,



- London: City Limits Co-operative
- Civil Liberty (February 1986) 'Armed Forces Bill', vol.2, no.1, London: NCCL (copy at the LAGNA archives, no page number given)
- Cockburn, Patrick (2.5.2004) 'REAL PROSPECT OF DEFEAT: AGAINST THE ODDS AMERICA HAS EARN'T THE HATRED OF THE WORLD', The Independent on Sunday, p.8, London: Independent News and Media
- Cockburn, Patrick (3.5.2004) 'IRAQ IN CRISIS: IRAQIS ARE DISGUSTED BUT NOT SURPRISED AT POW ABUSE', The Independent, p.4, London: Independent News and Media
- Collier, Felicity (29.10.2002) 'Child Unfriendly: Unmarried couples are discriminated against when it comes to adoption', The Guardian, p.18, London: Guardian Media Group
- Cooper, Jan (8.8.1994) 'PREJUDICES ON PARADE', The Guardian, Features p.4, London: Guardian Media Group
- Cooper, Jan (10.5.1995) 'FORCES SWEETHEARTS', The Guardian, Features p.4, London: Guardian Media Group
- Cornwell, Rupert (1.5.2004) 'IRAQ IN CRISIS: US MILITARY TORTURE PICS SPARK OUTRAGE ACROSS THE WORLD', The Independent, pp.4-5, London: Independent News and Media
- Cornwell, Rupert (1.5.2004) 'IRAQ IN CRISIS: NOW BRITISH ARMY IN DOCK AS ALLIES OUTRAGE WORLD OPINION', The Independent, pp.4-5, London: Independent News and Media
- Corry, Paul (21.2.1994) 'Gays tell MPs: Give us equality', Morning Star, p.1, London: People's Press Printing Society
- Cowie, Ian (1.7.2003) 'Gay unions denounced as charter for tax dodgers', Daily Telegraph, p.25, London: Telegraph Media Group
- Cracknell, David (23.11.2003) 'Hunting ban left out of Queen's Speech', Sunday Times, p.2, London: News International
- Cracknell, David (19.9.2004) 'Paisley wins delay on gay marriage in Ulster talks bargaining', The Times, p.14, London: News International
- Craig, Jon (17.12.2000) 'Gays win adoption rights', Sunday Express, London: Express Newspapers (copy at the LAGNA archives, no page number given)
- Chrisatis, Angelique (1.7.2003) 'Legislation for same-sex couples aimed at forcing culture change: Heterosexual unmarried couples excluded from proposals', The Guardian, p.4, London: Guardian Media Group
- Cusick, James (5.8.1994) 'MoD may face pay-out to sacked homosexuals', The Independent p.2, London: Independent News and Media

- Cusick, James (29.5.2012) 'Pretty straight? It depends how you interpret the evidence', The Independent, pp.5-6, London: Independent Print
- Cusick, James (6.3.2013) 'Chilcot Inquiry to challenge official line on Iraq', The Independent, pp.1&4 London: Independent Print
- Daily Express (21.5.2002) 'GAY BAN DEFEATED', p.2, London: Express Newspapers
- Daily Express (6.12.2002) 'NEW RIGHTS FOR GAYS', p.15, London: Express Newspapers
- Daily Express (7.12.2002) 'GAYS GAIN MARRIED STATUS', p.2, London: Express Newspapers
- Daily Mail (9.5.1987) 'Lessons on gays 'threat to life'', London: Associated Newspapers (copy at the LAGNA archives, no page number given)
- Daily Mail (24.4.1995) 'Gay controversy at the double', p.8, London: Associated Newspapers
- Daily Mail (24.4.1995) 'Labour strife over forces gays', p.11, London: Associated Newspapers
- Daily Mail (6.12.2002) 'Gay marriages to get legal recognition', p.15, London: Associated Newspapers
- Daily Mail (4.6.2003) 'GAYS MAY BE BARRED FROM CHURCH JOBS' p.15, London: Associated Newspapers
- Daily Mail (30.6.2003) 'Equality for gay couples', p.28, London: Associated Newspapers
- Daily Mirror (5.3.1996) 'RANK HYSTERIA', p.6, London: Mirror Group Newspapers
- Daily Mirror (7.12.2002) 'AT LAST: GAYS ARE GETTING A STRAIGHT DEAL', p.6. London: Trinity Mirror
- Daily Mirror (1.7.2003) '£240M-A-YEAR BILL FOR GAY PLAN', p.2, London: Trinity Mirror
- Daily Star (30.6.2003) 'EQUALITY FOR GAYS', p.2, London: Express Newspapers
- Daily Telegraph (16.12.1987) 'Commons suspended in 'gay rights' row', London: Telegraph Media Group (copy at the LAGNA archives, no page number given)
- Daily Telegraph (3.2.1988) 'Lesbian protesters drop in on Lords', London: Telegraph Media Group (copy at the LAGNA archives, no page number given)
- Daily Telegraph (22.4.1995) 'Labour to lift homosexual ban in forces', London: Telegraph Media Group (copy at the LAGNA archives, no page number given)

given)

Day, Aaron (8.8.2013) 'The 20 most shocking anti-gay news stories from Russia so far', Pink News,  
<http://www.pinknews.co.uk/2013/08/08/the-20-most-shocking-anti-gay-news-stories-from-russia-so-far/> (accessed 8.8.2013)

de Jongh, Nicholas (26.1.1988) 'Clause 28 'Witch Hunt'', The Guardian,  
 London: Guardian Media Group (accessed on Nexis, no page number given)

Dillon, Jo (29.6.2003) 'IS BRITAIN READY TO PRONOUNCE THIS COUPLE WIFE AND WIFE?', The Independent on Sunday, p.3, London: Independent News and Media

Doughty, Steve (8.5.2002) 'Blair U-turn will let gays and live-in couples adopt', Daily Mail, p.23, London: Associated Newspapers

Doughty, Steve (17.5.2002) 'MPs split as gay adoptions passed', Daily Mail, p.15, London: Associated Newspapers

Doughty, Steve (1.7.2003) 'For same-sex couples, all the privileges of marriage', Daily Mail, p.8, London: Associated Newspapers

Doughty, Steve (26.11.2003) 'Labour kills off marriage', Daily Mail, p.6, London: Associated Newspapers

Doughty, Steve (1.4.2004) 'Gay 'marriages' to include privileges on pension and tax', Daily Mail, p.15, London: Associated Newspapers

Duffy, Nick (17.9.2014) 'Gay priest considered marrying despite church ban', Pink News,  
<http://www.pinknews.co.uk/2014/09/17/gay-priest-considered-marrying-despite-church-ban/> (accessed 18.1.2015)

Duffy, Nick (23.2.2015) 'This is what trans people are forced to go through in 34 European countries', Pink News,  
<http://www.pinknews.co.uk/2015/02/23/watch-this-is-what-trans-people-are-forced-to-go-through-in-34-european-countries/>  
 (accessed 23.2.2025)

Duffy, Nick (15.4.2015) 'UKIP manifesto opposes teaching of gay relationships in primary schools', Pink News,  
<http://www.pinknews.co.uk/2015/04/15/ukip-manifesto-opposes-teaching-about-gay-relationships-in-primary-schools/> (accessed 15.4.2015)

Duffy, Nick (4.11.2015) 'Gay chaplain loses employment tribunal after being sacked by church for marrying', Pink News,  
<http://www.pinknews.co.uk/2015/11/04/gay-chaplain-sacked-by-church/>

- [h-for-marrying-loses-employment-tribunal/](#) (accessed 25.11.2015)
- Duffy, Nick (17.1.2016) 'Court to hear challenge for straight civil partnerships this week', Pink News,  
<http://www.pinknews.co.uk/2016/01/17/court-to-hear-challenge-for-straight-civil-partnerships-this-week/> (accessed 17.1.2016)
- Duffy, Nick (10.2.2016) 'Government rejects call to make inclusive sex education a legal requirement in all schools', Pink News,  
<http://www.pinknews.co.uk/2016/02/10/government-rejects-call-to-make-inclusive-sex-education-a-legal-requirement-in-all-schools/>
- Dyer, Claire (7.12.2002) 'New legal rights for gay couples', The Guardian, p.15, London: Guardian Media Group
- Eastham, Paul & Paveley, Rebecca (17.10.2002) 'Gay adoption go-ahead is thrown out by peers', Daily Mail, London: Associated Newspapers (accessed on Nexis, no page number given)
- Eastham, Paul (4.11.2002) 'IDS facing revolt over gay adoption', Daily Mail, p.15, London: Associated Newspapers
- Eastham, Paul (4.11.2002) 'Portillo twists the knife as rebels ambush IDS', Daily Mail, p.8, London: Associated Newspapers
- Evans, Michael (10.10.1995) 'Forces homosexual challenge court ruling', The Times p.2, London: News International
- Evans, Michael (11.10.1995) 'Morale of Armed Forces jeopardised by homosexuals', The Times, London: News International (accessed on Nexis, no page number given)
- Evans, Michael (8.5.1996) 'MPs support ban on homosexuals in the armed forces', The Times, London: News International (accessed on Nexis, no page number given)
- Evening Standard (3.2.1988) 'Tarzan lesbians vow to fight on', London: Associated Newspapers (copy at the LAGNA archives, no page number given)
- Fairhall, David (11.5.1994) 'ACTIVISTS WELCOME SOFTENING OF ARMED FORCES' CODE ON GAYS', The Guardian, p.3, London: Guardian Media Group
- Fairhall, David & Dyer, Clair (8.5.1995) 'EX-SERVICES GAYS PLAN TO TAKE BATTLE TO EUROPE', The Guardian p.2, London: Guardian Media Group
- Fairhall, David & Bowcott (7.2.2002) 'PORTILLO PLEDGES TO KEEP BAN ON GAYS IN ARMED FORCES', The Guardian, p.6, London: Guardian Media Group

- Fairhall, David (20.3.1996) 'CHAPLAINS INFORM ON ARMY GAYS', The Guardian p.8, London: Guardian Media Group
- Fairhall, David (8.5.1996) 'ARMED FORCES JUSTIFIED IN BANNING GAYS, SAY MPS', The Guardian p.10, London: Guardian Media Group
- Fisk, Robert (2.5.2004) 'THE GOOD GUYS WHO CAN DO NO WRONG', The Independent on Sunday, p.10, London: Independent News and Media
- Ford, Richard (30.1.1988) 'Arts lobby scorns gay ban changes', The Times, London: News International (accessed on Nexis, no page number given)
- Ford, Richard (30.6.2003) 'Gay couples welcome equal rights', The Times, p.10, London: News International
- Ford, Richard (1.7.2003) 'Gay 'marriages' could end in divorce courts', The Times, p.4, London: News International
- Ford, Richard (1.7.2003) 'Make us legal before we die', The Times, p.4, London: News International
- Fordham, Ed (10.10.2014) 'Comment: Discrimination against gay clergy must end', Pink News,  
<http://www.pinknews.co.uk/2014/10/10/comment-discrimination-against-gay-clergy-must-end/> (accessed 18.1.2015)
- Fowler, Rebecca (1.1.1996) 'Armed forces ban on gays under fire', The Independent p.5, London: Independent News and Media
- Frean, Alexandra & Smith, Lewis (17.5.2002) 'Adoption agencies hail victory for children', The Times, London: News International (accessed on Nexis, no page number given)
- Freely, Maureen (11.7.2001) 'Just take your homophobia and hit the road', The Independent, London: Independent News and Media (copy at the LAGNA archives, no page number given)
- Garner, Richard (8.11.2013) 'Homophobic bullying rife in schools - for teachers as well as pupils', The Independent p.22, London: Independent Print
- Gavshon, A., Shapiro, M., Corn, D. & Black, G. (29.5.1987) 'Conservative International: US funds British Groups', an Inter-Nation report in The New Statesman, London: Progressive Media International
- Gibb, Frances (10.11.2003) 'Equal rights for gay couples to be in Queen's Speech' The Times, p.4, London: News International
- Gilbride, Paul (27.11.2003) 'THE QUEEN'S SPEECH PRIME MINISTER'S BILL PUTS HIM IN DANGER', Daily Express, p.4, London: Express Newspapers
- Gilfeather, Paul (1.4.2004) 'NOT SUCH A GAY DAY: SAME SEX COUPLES TO SHUN RIGHTS TO NEW CIVIL 'MARRIAGE'', Daily Mirror, p.32, London:

## Trinity Mirror

- Gilligan, Andrew (20.6.1994) 'Duke confident of restoring homosexual age of consent to 21', *The Independent*, p.1, London: Independent News and Media
- Gilligan, Andrew (21.6.1994) 'Peers keep gay sex age limit at 18', *The Independent*, p.8, London: Independent News and Media
- Gimson, Andrew (10.11.2004) 'Grimm tale of taxman and the seven dwarfs Commons Sketch', *Daily Telegraph*, p.12, London: Telegraph Media Group
- Glanville, Bob (12.5.2003) 'Discriminate all you want; Blair sends message to religious bigots', *Morning Star*, p.1, London: People's Press Printing Society
- Glanville, Bob (5.8.2003) 'Atheists attack Blair's faith crusade; Christians attempt to inject church values', *Morning Star*, p.5, London: People's Press Printing Society
- Goodwin, Stephen (18.6.1991) 'Parliament and Politics: MPs restore death penalty for armed forces personnel', *The Independent*, p.4, London: Independent News and Media
- Goodwin, Stephen (22.2.1994) 'The age of consent debate 16/18?: Time to turn dark shadow into a human', *The Independent*, p.3, London: Independent News and Media
- Goodwin, Stephen (10.5.1996) 'Currie condemns pure prejudice', *The Independent*, p.9, London: Independent News and Media
- Gordon, Alison (12.11.2000) 'Labour-led councils want more foster gays', *The Mail on Sunday*, London: Associated Newspapers (copy at the LAGNA archives, no page number given)
- Gordon, Alison (18.2.2001) 'Gay Couples asked to take in abused youngsters', *The Mail on Sunday*, London: Associated Newspapers (copy at the LAGNA archives, no page number given)
- Gove, Michael (1.7.2003) 'When the straight and narrow is the wrong path', *The Times*, p.16, London: News International
- Grant, Graham (17.2.2004) 'Same-sex marriage survey was hijacked by gay rights lobby', *Daily Mail*, p.35, London: Associated Newspapers
- Gray, Stephen (19.6.2012) 'Ofsted report: Schools should do more to tackle anti-gay language', *Pink News*,  
<http://www.pinknews.co.uk/2012/6/19/ofsted-report-schools-should-do-more-to-tackle-anti-gay-language/> (accessed 19.6.2012)
- Gray, Stephen (5.7.2012) 'Report: 99 percent of gay pupils hear homophobic

- language in school', Pink News,  
<http://www.pinknews.co.uk/2012/07/05/report-99-percent-of-gay-pupils-hear-homophobic-language-in-school> (accessed 5.7.2012)
- Greig, Gordon (21.2.1994) 'GAY SEX AT 16 A STEP AWAY Dithering Tory MPs put tonight's vote on a knife edge', Daily Mail, p.1-2, London: Associated Newspapers
- Greig, Gordon (22.2.1994) 'Rise and Rise of Pink Power PRESSURE GROUPS BEHIND HISTORIC VOTE ON HOMOSEXUALITY', Daily Mail, p.6, London: Associated Newspapers
- Greig, Gordon (23.2.1994) 'Howard's warning to under-age gays', Daily Mail, p.12, London: Associated Newspapers
- Green, Jessica (12.11.2009) 'Free speech amendment will stay in homophobia law', Pink News,  
<http://www.pinknews.co.uk.2009/11/12/free-speech-amendment-will-stay-in-homophobia-law/> (accessed 12.11.2009)
- Green, Jessica (25.1.2010) 'Senior bishops call on Lords to retain gay employment exemptions', Pink News,  
<http://www.pinknews.co.uk.2010/01/25/senior-bishops-call-on-lords-to-retain-gay-employment-exemptions/> (accessed 18.1.2015)
- Grew, Tony (22.1.2008) 'Lesbian and gay parental rights approved by Lords', Pink News,  
<http://www.pinknews.co.uk.2005/01/22/lesbian-and-gay-parental-rights-approved-by-lords/> (accessed 22.1.2008)
- Grice, Andrew & Richards, Steve (9.12.2002) 'HESELTINE CALLS ON TORY MPs TO REVOLT AGAINST DUNCAN SMITH', The Independent, p.1, London: Independent News and Media
- Grice, Andrew (10.2.2004) 'HOWARD IN U-TURN OVER GAY MARRIAGES', The Independent, p.15, London: Independent News and Media
- Grice, Andrew (16.6.2012) 'Murdoch pressured Blair to rush into Iraq war, says Campbell in diaries', The Independent, p.2, London: Independent Print
- Guardian, The (10.5.1986) 'Local Election Results', London: Guardian Media Group (accessed on Nexis, no page number given)
- Guardian, The (18.11.1986) 'The Day in Politics: Ridley Onslaught on Left Councils', London: Guardian Media Group (accessed on Nexis, no page number given)
- Guardian, The (3.2.1987) 'Sun report exaggerated: Press Council upholds complaint against tabloid newspaper', London: Guardian Media Group

(accessed on Nexis, no page number given)

Guardian, The (9.6.1987) 'Sun wins injunction appeal', London: Guardian Media Group (accessed on Nexis, no page number given)

Guardian, The (18.11.1987) People Diary: (*on British signatories to an advertisement in the Washington Post about dangers to Western security*), London: Guardian Media Group (accessed on Nexis, no page number given)

Guardian, The (17.12.1988) 'Thatcher aide starts agency to publish Soviet dissidents', London: Guardian Media Group (accessed on Nexis, no page number given)

Guardian, The (15.12.1989) 'The day in politics: Gould asks the PM to explain smear link', London: Guardian Media Group (accessed on Nexis, no page number given)

Guardian, The (21.6.1994) 'Peers support consent age of 18', p.6, London: Guardian Media Group

Guardian, The (6.8.1994) 'INVESTIGATOR TELLS OF LESBIAN INDEX', p.3, London: Guardian Media Group

Guardian, The (5.3.1996) 'I WOULD SMASH THEIR FACES IN', p.7, London: Guardian Media Group

Guardian, The (5.3.1996) 'PRIDE AND PREJUDICE IN THE SERVICES', leader p.14, London: Guardian Media Group

Guardian, The (14.3.2002) 'Outdated adoption: Ministers are being too pusillanimous', p.21, London: Guardian Media Group

Guardian, The (21.5.2002) 'Senior Tories refuse to toe line on gay adoption', p.11, London: Guardian Media Group

Guardian, The (1.6.2003) Leader: 'Victory for gay couples, But unmarried heterosexuals fight on', p.21, London: Guardian Media Group

Gunn, Sheila (23.6.1987) 'Crusade rises from the radical right', The Times, London: News International (accessed on Nexis, no page number given)

Hagger, Allister (1.12.2003) 'FIRMS BRACED FOR COSTLY PAYOUTS UNDER NEW DISCRIMINATION LAWS', Daily Express, p.27, London: Express Newspapers

Hall, Sarah (14.6.2003) 'Gay sacking right unlawful', The Guardian, p.6, London: Guardian Media Group

Hall, Sarah (18.11.2003) 'Howard to give Tories free vote on same-sex partnerships', The Guardian, p.10, London: Guardian Media Group

Hall, Sarah & Ezard, John (24.11.2003) 'Bill giving new rights to gay couples to



- be unveiled', The Guardian, p.9, London: Guardian Media Group
- Hall, Stuart (July 1987) 'Blue Election, Election Blues', Marxism Today, pp.30-35, London: Communist Party of Great Britain
- Halpin, Tony (5.8.1994) 'Sacked gays could win big payouts from MoD', Daily Mail p.26, London: Associated Newspapers
- Hardy, James (8.5.2002) 'GAY PARTNERS GET THE CHANCE TO ADOPT', Daily Mirror, p.2, London: Trinity Mirror
- Hardy, James (17.5.2002) 'GAY COUPLES ADOPTION OK', Daily Mirror, p.2, London: Trinity Mirror
- Harper, Tom (17.8.2013) 'Met investigating Rupert Murdoch firm News International as 'corporate suspect' over hacking and bribing offences', The Independent, p.1&4 London: Independent Print
- Harrison, Tracy (6.8.1994) 'Gays plan huge cash demand from MoD', Daily Mail, p.6, London: Associated Newspapers
- Harrison, Tracy (6.8.1994) 'New threat over forces sackings, I loved my job, leaving ruined my life', Daily Mail p.10, London: Associated Newspapers
- Hart, David (28.1.1987) 'Lollipop lady who says 'stop' to the left', The Times, London: News International (accessed on Nexis, no page number given)
- Hart, David (8.10.1987) 'Radical is as radical does', The Times, London: News International (accessed on Nexis, no page number given)
- Hattersley, Roy (6.5.1996) 'BATTLE FOR HUMAN RIGHTS IN THE ARMED FORCES', The Guardian p.10, London: Guardian Media Group
- Hill, Derrick (25.4.1995) 'An army must march straight and be straight', Daily Express, London: United Newspapers (copy at the LAGNA archives, no page number given)
- Hilpern, Kate (28.11.2003) 'PRIDE AND PREJUDICE AND NEW LEGISLATION', The Independent, p.2-3, London: Independent News and Media
- Hinsliffe, Gaby & Ahmed, Kamal (11.5.2003) 'Church groups can sack gay staff', The Observer, p.15, London: Guardian Media Group
- Hinsliffe, Gaby (29.6.2003) 'Gay spouses face threat of alimony: New law could mean ex-partners must pay up', The Observer, p.4, London: Guardian Media Group
- Hitchins, Peter (30.11.2003) 'Will they be happy when they kill off marriage?', Mail on Sunday, p.27, London: Associated Newspapers
- Hodges, Michael H. (6.2.1989) 'No gays, Please, We're British', The Nation, pp.156-160, New York: The Nation.Co
- Hurst, Greg (21.5.2002) 'Tories fail to prevent adoption by gay couples', The

- Times, London: News International (accessed on Nexis, no page number given)
- Hurst, Greg (7.12.2002) 'Gay couples may be free to register their love', The Times, p.16, London: News International
- Hurst, Greg (6.11.2002) 'Peers back adoption by unmarried couples', The Times, p.7, London: News International
- Independent, The (19.2.1994) 'An issue of equality, fairness and health', Leading Article p.10, London: Independent News and Media
- Independent, The (17.5.1995) 'Ban on gays in forces a sheer waste of ability', p.5, London: Independent News and Media
- Independent, The (18.5.1995) 'Judges warned to leave forces ban to MPs', p.5, London: Independent News and Media
- Independent, The (6.5.1996) 'MPs to support forces gay ban', p.2, London: Independent News and Media
- Independent, The (11.5.1996) Leader: 'Gay's in the military: individualism's new frontier', p.16, London: Independent News and Media
- Independent, The (7.12.2002) Leader: 'MR BLAIR SHOULD COME OUT OF THE CLOSET AND SHOW THAT HE IS A LIBERAL', p.18, London: Independent News and Media
- Independent, The (1.7.2003) Leader: 'A HISTORIC PARTNERSHIP BETWEEN GAY RIGHTS AND THE LAW', p.12, The Independent, London: Independent News and Media
- Independent, The (1.5.2004) Leader: 'IMAGES OF ABUSE THAT WILL HAUNT US', p.36, London: Independent News and Media
- Independent, The (5.7.2004) Leader: 'DOUBTS ABOUT THE LEGALITY OF THE WAR CONTINUE TO DAMAGE THE PROSPECTS FOR PEACE IN IRAQ', The Independent, p.28, London: Independent News and Media
- Independent, The (29.5.2012) 'The truth, the whole truth and nothing but the truth, by TONY BLAIR: EX-PM AT THE LEVINSON INQUIRY', pp.1-5, London: Independent Print
- Independent on Sunday, The (23.4.1995) 'Opposition soft-pedals on gays in the army', London: Independent News and Media (copy at the LAGNA archives, no page number given)
- Independent on Sunday, The (30.5.2004) 'Howard Sacks Peers for Endorsing UKIP', p.6, London: Independent News and Media
- Inman, Kendra (9.10.2003) 'A NEW ERA FOR EQUAL RIGHTS', The Guardian Special Supplement, p.8, London: Guardian Media Group

- John, Elton & Fowler, Norman (28.6.2014) 'As we show our Pride, remember bigotry still flourishes elsewhere', *The Independent*, pp.14-15, London: Independent Print
- Johnson, Angelia (4.11.1995) 'FORCES GAY BAN UPHOLD BY JUDGES', *The Guardian* p.11, London: Guardian Media Group
- Johnson, Angelia (26.2.1996) 'Guardian targeted over military ban on gays', *The Guardian*, London: Guardian Media Group (copy at the LAGNA archives, no page number given)
- Johnston, Ian (25.5.2014) 'Intelligence services tried to withhold reports from Blair after WMD fiasco', *The Independent on Sunday*, p.10, London: Independent Print
- Johnston, Philip (7.12.2002) 'Gays to get same rights as married couples', *Daily Telegraph*, p.1, London: Telegraph Media Group
- Jones, George (8.5.2002) 'MPs get free vote on gay adoptions', *Daily Telegraph*, p.2, London: Telegraph Media Group
- Jones, George (17.5.2002) 'MPs vote to let gay couples adopt' *Daily Telegraph*, p.1, London: Telegraph Media Group
- Jones, George (15.10.2002) 'Peer attacks 'gay rights' adoption Bill', *Daily Telegraph*, p.14, London: Telegraph Media Group
- Jones, George (17.10.2002) 'Adoption by gay couples rejected by peers', *Daily Telegraph*, p.1, London: Telegraph Media Group
- Jones, George (5.11.2002) 'Senior Tories revolt over gay adoption Duncan Smith defied as Bercow quits', *Daily Telegraph*, p.1, London, Telegraph Media Group
- Jones, George (24.11.2003) 'Tory switch over legal rights for gay couples', *Daily Telegraph*, p.7, London: Telegraph Media Group
- Jones, George (25.6.2004) 'Gay marriage Bill left in disarray', *Daily Telegraph*, p.8, London: Telegraph Media Group
- Jones, Owen (30/7/2013 interviewed by Scott Roberts) 'Cameron was courageous but it could have happened under Labour', *Pink News*, <http://www.pinknews.co.uk/2013/07/30/owen-jones-cameron-was-courageous-on-equal-marriage-but-it-could-have-happened-under-labour/> (accessed 30/7/2013)
- Jones, Rupert (5.7.2003) 'End of the rainbow for same-sex couples', *The Guardian*, p.13, London: Guardian Media Group
- Jones, Tim (16.5.1995) 'Sacked servicemen fight to end military ban on homosexuals', *The Times*, London: News International (accessed on Nexis,

no page number given)

- Kallanbach, Michael (17.5.2002) 'Only marriage can give child stability', Daily Telegraph, p.12, London: Telegraph Media Group
- Kallanbach, Michael (21.5.2002) 'Tories fail to block gay adoption reform', Daily Telegraph, p.10, London: Telegraph Media Group
- Kavanagh, Trevor (18.3.1997) 'WHY WE HAD TO DITCH THE TIRED TORIES', The Sun p.6, London: News International
- Keel, Paul; Parry, Gareth and Naughtie, James (29.10.1985) 'Spy case fiasco puts pressure on ministers' The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- Kite, Melissa (20.5.2002) 'Unwed couples unfit to adopt, says Duncan Smith', The Times, London: News International (accessed on Nexis, no page number given)
- Kite, Melissa (17.10.2002) 'Lords join forces to wreck Blair's gay adoption Bill', The Times, London: News International (accessed on Nexis, no page number given)
- Kite, Melissa (5.11.2002) 'Frontbencher refused to go missing again', The Times, p.12, London: News International
- Landale, James (22.4.1995) 'Labour to allow gays in military', The Times, London: News International (accessed on Nexis no page number given)
- Landale, James & Webster, Philip (10.5.1996) 'MPs vote to keep forces ban on gays', The Times, London: News International (accessed on Nexis, no page number given)
- Lawson, Mark (25.4.1995) 'Who's afraid of a gay soldier', The Independent, p.15, London, Independent News and Media
- Lawyer, The (5.3.1996) 'Leaked MoD advice urges compromise over gays ban' (copy at the LAGNA archives, no page number or further details given)
- Leftly, Mark (20.7.2014) 'Blair and Straw to get warning letters from Iraq Inquiry: The Chilcot report is finally nearing publication, The Independent, p.8, London: Independent Print
- Leonard, Tony (7.12.2002) 'GAYS WILL GET EQUAL RIGHTS', Daily Star, p.2, London: Express Newspapers
- Lester of Herne Hill, Lord (14.1.2003) 'Some are more equal than others', The Times, p.10, London: News International
- Letts, Quentin (10.11.2004) 'Howarth leapt to his feet, stiff as a surveyor's yardstick', Daily Mail, p.34, London: Associated Newspapers
- Linton, M., Lewis, J. & Henke, D. (1.10.1986) 'Labour at Blackpool: Pledge to

- oust 'bias', The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- Low, Valentine (22.2.1994) 'Gay protesters sabotaged vote', Evening Standard, p.6, London: Associated Newspapers
- Lumsden, Andrew (16.1.1987) 'An empire built on homosexuality', New Statesman, p.16, London: Progressive Media International
- MacDonald, Marianne (18.2.1994) 'Experts oppose moralists on gay sex: Church groups and many Tories reject professional views on Monday's vote', The Independent, p.11, London: Independent News and Media
- MacIntyre, Donald (29.4.1996) 'Blair faces Labour row over gays in military', The Independent p.2, London: Independent News and Media
- Malone, Andrew (23.4.1995) 'Labour under fire on gay soldiers', The Sunday Times, London: News International (accessed on Nexis no page number given)
- Mason, Angela (8.11.1995) 'Gays in the Services', Letter to The Times, London: News International (accessed on Nexis no page number given)
- May, Pete (3.3.2014) 'Survey: One in three LGBT people believe they can't foster or adopt', Pink News,  
<http://www.pinknews.co.uk/2014/03/03/36-lgbt-people-see-sexuality-barrier-comes-adoption/> (accessed 3.3.2014)
- Mays, Tessa & Waterhouse, Rosie (17.6.2001) 'Gay couples join forces to have babies as foursomes', The Sunday Times, London: News International (copy at the LAGNA archives, no page number given)
- McAleese, Deborah (24.9.2004) 'Groups clash over gay marriage', Belfast Telegraph, Belfast: Independent News and Media (accessed on Nexis no page number given)
- McCambridge, Jonathan (13.10.2004) 'Unionist MPs against gay marriage bill', Belfast Telegraph, Belfast: Independent News and Media (accessed on Nexis no page number given)
- McCormick, Joseph P. (15.2.2014) 'Church of England to offer gay marriage prayers but gay clergy banned from marrying', Pink News,  
<http://www.pinknews.co.uk/2014/02/15/church-of-england-offer-prayers-gay-couples-equal-marriage/> (accessed 18.1.2015)
- McCormick, Joseph P. (9.9.2014) 'First gay clergy member to marry in UK sues Church of England after sacking', Pink News,  
<http://www.pinknews.co.uk/2014/09/09/first-gay-clergy-member-to-marry-in-uk-sues-church-of-england-after-sacking/> (accessed 18.1.2015)

- McCormick, Joseph P. (14.12.2015) 'Gay priest banned from holding services after marrying his partner', Pink News,  
<http://www.pinknews.co.uk/2015/12/14/gay-priest-banned-from-holding-services-after-marrying-his-partner/> (accessed 14.12.2015)
- McGowan, Patrick (15.5.1995) 'Gays in challenge to MoD 'prejudice' over ban', Evening Standard p.3, London: Associated Newspapers
- McKie, David (13.12.1986) 'Tebbit circulates list of 'crazy' leftwing councils: Conservative Party chairman issues dossier of Labour administrative 'excesses'', The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- McSmith, Andy (10.10.2004) 'FALLOUT FROM HUNT BAN COULD DERAILED GAY RIGHTS BILL', The Independent on Sunday, p.14, London: Independent News and Media
- McSmith, Andy (24.1.2015) 'The Iraq Report: A special investigation', The Independent, special supplement pp.1-8, London: Independent Print
- Mellor, David (8.12.2002) 'FAIR PLAY FOR GAYS', The People, p.35, London: Trinity Mirror
- Merrill, Jamie (12.1.2014) 'Mental health crisis looms for gay teenagers', The Independent on Sunday, p.15, London: Independent Print
- Miller, Charles (14.5.1995) 'FOUR CHALLENGE MILITARY BAN ON GAYS', London: The Press Association, PA News
- Miller, Peter & Passmore, John (21.4.1994) 'Gay troops a joke says ex-RAF boss', Evening Standard, p.15, London: Associated Newspapers
- Mills, Heather (18.6.1993) 'Leaked documents reveal forces bias', The Independent, p.3, London: Independent News and Media
- Mills, Heather (16.5.1995) 'Forces ban on gays panders to prejudice', The Independent p.3, London: Independent News and Media
- Mills, Heather (5.3.1996) 'Soames pledges to defend forces ban on gays', The Independent p.4, Independent News and Media
- Milne, Seamus (23.6.1987) 'Rightwing campaigners come out of the bunker', The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- Morning Star (12.5.2003) 'Unbelievable exemptions', p.2, London: People's Press Printing Society
- Morning Star (16.5.2003) 'UNISON raps bigot clause in equality law', p.5, London: People's Press Printing Society
- Morning Star (24.6.2003) 'Conference slams exemptions from new equalities

- legislation', p.5, London: People's Press Printing Society
- Morning Star (25.6.2003) 'Green MEP urges action on attempts to alter directive' p.6, London: People's Press Printing Society
- Morning Star (26.9.2003) 'TUC backs case against religious bigots', p.4, London: People's Press Printing Society
- Morning Star (1.12.2003) 'TUC welcomes anti-bigot legislation', p.6, London: People's Press Printing Society
- Morning Star (1.4.2004) 'Same-sex couples to be given legal rights', p.5, London: People's Press Printing Society
- Morris, Nigel & Woolf, Marie (17.5.2002) 'MPS APPROVE ADOPTION BY GAY COUPLES', The Independent, p.1, Independent News and Media
- Murphy, Jim (9.2.2004) 'Tory leader supports gay marriage reform', Evening Standard, p.18, London: Associated Newspapers
- New Internationalist (October 2015) 'The transgender revolution and how it could free us all', New Internationalist 486, articles pp.12-29
- New Statesman (25.2.1994) editorial on the Commons age of consent debate, p.4, London: Progressive Media International
- Nicoll, Andrew (1.7.2003) 'JOY FOR GAYS IN FIGHT TO MARRY', The Sun, London: News International (accessed on Nexis, no page number given)
- Norton-Taylor, Richard & Rose, David (14.12.1989) 'PM adviser in smear campaign', The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- Norton-Taylor, Richard (10.12.1990) 'Murdoch 'backed rightwing tracts', The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- Norton-Taylor, Richard (17.9.2004) 'Three Strikes: The case against the PM', The Guardian, p.13, London: Guardian Media Group
- Oborne, Peter (20.6.1994) 'ARCHBISHOP CLASHES WITH DUKE OVER GAY AGE OF CONSENT', Evening Standard, p.2, London: Associated Newspapers
- Oborne, Peter (5.8.1994) 'MOD FACING MASSIVE PAY-OUTS TO GAYS', Evening Standard p.7, London: Associated Newspapers
- Observer, The (20.2.1994) 'SIXTEEN SHOULD BE AGE OF CONSENT FOR ALL', Leading article, p.26, London: Lonrho
- Observer, The (27.2.1994) 'The Truth that dare not speak its name', The Observer, Leader p.27, London: Lonrho
- Observer, The (1.10.2000) Leader: 'A cruel prejudice: Blair must fight for gay adoption', London: Guardian Media Group (copy at the LAGNA archives, no

page number given)

- Observer, The (30.5.2004) 'Tories throw out rebel peers for backing UKIP', p.2,  
London: Guardian Media Group
- O'Connor, Brian (25.8.2003) 'Gay discrimination time bomb', Daily Mail, p.54,  
London: Associated Newspapers
- O'Flynn, Patrick, (5.11.2002) 'TORIES DESERT THEIR LEADER IN ROW OVER  
VOTE', Daily Express, p.2, London: Express Newspapers
- O'Neill, Sean (21.4.1991) 'Labour's battle for gay soldiers', The Independent on  
Sunday p.6, London: Independent News and Media
- Orr, Deborah (25.11.2003) 'SO MANY EQUAL RIGHTS, YET STILL SO LITTLE  
EQUALITY', The Independent, p.17, London: Independent News and Media
- Owen, Geoffrey & Rutherford, Malcolm (19.11.1986) Interview with the Prime  
Minister: 'Two more terms to eliminate socialism', Financial Times p.24,  
London: Pearson
- Owen, Jonathan (1.4.2012) 'Man whose WMD lies led to 100,000 deaths  
confesses all', The Independent on Sunday, p.32, London: Independent  
Print
- Owen, Jonathan (12.1.2014) 'Dossier on 'abuse' by UK forces in Iraq goes to ICC',  
The Independent on Sunday, pp.4-5, London: Independent Print
- Pallister, David (15.10.1985) 'Signallers confessed under duress', The Guardian,  
London: Guardian Media Group (accessed on Nexis, no page number  
given)
- Pallister, David (10.6.1987) 'Election 87: Right wing campaign veiled in secrecy',  
The Guardian, London: Guardian Media Group (accessed on Nexis, no  
page number given)
- Park, James (10.5.2013) 'Conservative Lord Fowler: If Parliament values people  
equally, it must make same-sex marriage legal', Pink News,  
<http://www.pinknews.co.uk.2013/05/10/conservative-lord-fowler-if-parliament-values-people-equally-it-must-make-same-sex-marriage-legal/>  
(accessed 10.5.2013)
- Parris, Matthew (28.1.1993) 'Should gays be soldiers?', The Times, London: News  
International (copy at LAGNA archives, no page number given)
- Parris, Matthew (26.2.1994) 'How we won the debate by default', The Times,  
London: News International (accessed on Nexis, no page number given)
- Parris, Matthew (21.6.1994) 'Peers of a certain age drive over old ground again',  
The Times, London: News International (accessed on Nexis, no page  
number given)



- Parris, Matthew (23.1.1996) 'The Matthew Parris Column', The Times, London: News International (accessed on Nexis, no page number given)
- Parris, Matthew (13.5.1996) 'The moral battle to allow gays into the armed forces is won', The Times, London: News International (accessed on Nexis, no page number given)
- Parris, Matthew (7.12.2002) 'The unsalacious truth about sex and marriage', The Times, p.30, London: News International
- Pascoe-Watson, George (8.5.2002) 'GAY COUPLES ALLOWED TO ADOPT KIDS', The Sun, London: News International (accessed on Nexis, no page number given)
- Pascoe-Watson, George (5.11.2002) 'FOUR KNIVES IN BACK FOR TORY LEADER', The Sun, London: News International (accessed on Nexis, no page number given)
- Paveley, Rebecca (15.10.2002) 'Lords head for clash on adoption by gay couples', Daily Mail, p.22, London: Associated Newspapers
- Paveley, Rebecca (6.11.2002) 'U-turn by Lords over gay adoption', Daily Mail, p.20, London: Associated Newspapers
- Payton, Naith (3.4.2015) 'Politicians condemn Nigel Farage's HIV comments', Pink News,  
<http://www.pinknews.co.uk/2015/04/03/politicians-condemn-nigel-farages-hiv-comments/> (accessed 3.4.2015)
- Payton, Naith (9.4.2015) 'Election Candidates asked to pledge support for non-binary rights', Pink News,  
<http://www.pinknews.co.uk/2015/04/09/election-candidates-asked-to-pledge-support-for-non-binary-rights/> (accessed 9.4.2015)
- Pells, Rachael (19.12.2015) 'Civil partnerships played a really important role in people coming out', The Independent, pp.20-1, London: Independent Print
- Perkins, Anne (17.5.2002) 'Commons votes to let gay couples adopt', The Guardian Home, p.2, London: Guardian Media Group
- Petre, Jonathan (16.10.2002) 'Churches protest at gay adoption', Daily Telegraph, p.1, London: Telegraph Media Group
- Petre, Jonathan (16.10.2002) 'Christians produce card to prevent gay adoption', Daily Telegraph, p.14, London: Telegraph Media Group
- Petre, Jonathan (25.1.2003) 'Euro rules force Church to employ athiests', Daily Telegraph, p.9, London: Telegraph Media Group
- Petre, Jonathan (18.3.2003) 'Bishops heading for clash on gay rights Bill', Daily Telegraph, p.11, London: Telegraph Media Group

- Petre, Jonathan (12.2.2004) 'Church softens tone on homosexuality General Synod', Daily Telegraph, p.6, London: Telegraph Media Group
- Phillips, Melanie (13.5.2002) 'Adoption an insidious bid to destroy marriage', Daily Mail, p.10, London: Associated Newspapers
- Phillips, Melanie (26.11.2003) 'THE MURDER OF MARRIAGE', Daily Mail, p.12, London: Associated Newspapers
- Pierce, Andrew (22.2.1994) 'Tory MPs accuse activists of blackmail', The Times, London: News International (accessed on Nexis, no page number given)
- Pierce, Andrew (5.8.1994) 'MPs fear sacked gays will sue MoD', The Times, London: News International (accessed on Nexis, no page number given)
- Pike, Molly Rose (11.2.2015) 'Struggle for LGBT rights remembered in Westminster banner', Pink News, <http://www.pinknews.co.uk/2015/02/11/struggle-for-lgbt-rights-remembered-in-westminster-banner/> (accessed 11.2.2015)
- Pilkington, Edward (5.5.1993) 'BRITAIN A PRIME OFFENDER IN EC ON ANTI-GAY LAWS', The Guardian p.2, London: Guardian Media Group
- Pinfold, Corinne (15.2.2013) 'Equality groups predict some gay married couples will have to fight for pension rights in court', Pink News, <http://www.pinknews.co.uk/2013/02/15/uk-equality-groups-predict-some-gay-married-couples-will-have-to-fight-for-pension-rights-in-court/> (accessed 15.2.2013)
- Pink Paper (17.12.1987) 'Fighting .... for our lives', Issue 6, p.1, London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (4.2.1988) 'Battle against the Backlash', Issue 11, p.1, London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (17.3.1988) 'Clause to be law', Issue 17, p.1, London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (14.2.1993) 'MoD defensive over forces ban' London: community newspaper distributed nationwide in lesbian and gay venues (copy at the LAGNA archives, no page number given)
- Pink Paper (11.2.1994) 'Europe backs 16', Issue 314, p.5, London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (18.2.1994) 'Hopes high for equality at 16', Issue 315, p.1, London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (25.2.1994) 'Labour MPs seal equality defeat', Issue 316, p.1, London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (25.2.1994) 'Parliament under seige', Issue 316, p.3, London:

- community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (19.5.1995) 'Historic challenge to military gay ban', Issue 379, p.1,  
London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (10.11.1995) 'Judges sound death knell for MoD ban', Issue 404, p.5,  
London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (5.1.1996) 'Military report says gay ban should go', Issue 411, p.1,  
London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (26.4.1996) 'Tory MP will slam military ban report in Commons',  
Issue 427, p.1, London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (3.5.1996) 'Fury as MPs ignore vital Euro ruling on equality', Issue 428, p.1, London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (17.5.1996) 'Labour MPs absent as gay group unveils new plan for conciliation', Issue 430, p.2, London: community newspaper distributed nationwide in lesbian and gay venues
- Pink Paper (19.10.2001) 'Right to adopt granted', Issue 708, p.5, London: Chronos Publishing
- Pink Paper (8.3.2002) 'Adoption rights rejected', Issue 727, p.5, London: Chronos Publishing
- Pink Paper (17.5.2002) 'Lobby group ignores adoption', Issue 737, p.4, London: Chronos Publishing
- Pink Paper (24.5.2002) 'Tories call for marriage before adoption', Issue 738, p.4, London: Chronos Publishing
- Pink Paper (15.11.2002) 'We are family as Lords finally OK adoption', Issue 763, p.3, London: Chronos Publishing
- Pink Paper (28.11.2003) 'Bosses and staff not ready for new work rights laws', Issue 816, p.3, London: Chronos Publishing
- Pink Paper (5.11.2004) 'Final push for partnership rights will lead to victory, MPs now promise', Issue 860, p.3, London: Chronos Publishing
- Porter, Henry (2.5.2004) 'THE ELECTRODES SWITCH IS IN WASHINGTON', The Independent on Sunday, p.23, London: Independent News and Media
- Price, Lance (1.7.2006) 'Rupert Murdoch is effectively a member of Blair's cabinet: Only a spin doctor would deny that the media baron has a say in

- all major decisions taken in Downing Street', p.32, The Guardian, London: Guardian Media Group
- Pryke, Peter (22.11.1985) 'Call to relax homosexuality law in services after spy trial ordeal', The Daily Telegraph, London: Telegraph Media Group (copy at the LAGNA archives, no page number given)
- Prynn, Jonathan (21.6.1994) 'Lords refuse to overrule MPs on age of consent', The Times, London: News International (accessed on Nexis no page number given)
- Rayment, Sean (15.5.1995) 'Let us stay plead RAF gays', pp.1&2, Daily Mail, London: Associated Newspapers
- Rayment, Sean (1.1.1996) 'Fury at gay troops plan', Daily Mail, p.17, London: Associated Newspapers
- Rayment, Sean (23.1.1996) 'Forces will not lift ban on gays', Daily Mail, p.6, London: Associated Newspapers
- Rayner, Gordon (1.12.2003) 'Firms fear as gays win right over sex bias', Daily Mail, p.2, London: Associated Newspapers
- Reiss, Charles (6.2.1996) 'Armed forces to keep ban on gays', Evening Standard, p.2, London: Associated Newspapers
- Rentoul, John (10.5.1996) 'About-turn complete as Blair backs ban', The Independent, p.9, London: Independent News and Media
- Revill, Jo (7.5.2002) 'Blair will allow gay couples to adopt', Evening Standard, p.5, London: Associated Newspapers
- Roberts, Scott (18.10.2012) 'Northern Ireland gay adoption ban ruled unlawful', Pink News,  
<http://www.pinknews.co.uk/2012/10/18/northern-ireland-gay-adoption-ban-ruled-unlawful/> (accessed 18.10.2012)
- Roberts, Scott (15.1.2013) 'UK: Defeat for anti-gay Christians at European Court of Human Rights', Pink News,  
<http://www.pinknews.co.uk/2013/01/15/uk-defeat-for-anti-gay-christians-at-european-court-of-human-rights/> (accessed 15.1.2013)
- Roberts, Scott (4.6.2013) 'Lord Hylton: Gay people have stolen the word 'gay' and it no longer has a 'delightful meaning'', Pink News,  
<http://www.pinknews.co.uk/2013/06/04/lord-hylton-gay-people-have-stolen-the-word-gay-and-it-no-longer-has-a-delightful-meaning/> (accessed 4.6.2013)
- Roberts, Scott (24.6.2013) 'Gay Tory MP Conor Burns: Lady Thatcher did not have a problem with gay people', Pink News,

- <http://www.pinknews.co.uk/2013/06/24/gay-tory-mp-conor-burns-lady-thatcher-did-not-have-a-problem-with-gay-people/>\_ (accessed 24.6.2013)
- Roberts, Scott (25.6.2013) 'Amnesty: Homophobia reaching 'dangerous levels' in Africa', Pink News,  
<http://www.pinknews.co.uk/2013/06/25/amnesty-homophobia-reaching-dangerous-levels-in-africa/> (accessed 25.6.2013)
- Roberts, Scott (8.10.2013) 'Survey: More than 60,000 civil partnerships have taken place in the past seven years', Pink News,  
[.uk/2013/10/25/survey-more-than-60,000-civil-partnerships-have-taken-place-in-the-past-seven-years/](http://www.pinknews.co.uk/2013/10/25/survey-more-than-60,000-civil-partnerships-have-taken-place-in-the-past-seven-years/) (accessed 25.10.2013)
- Rose, David (17.12.1988) 'Thatcher aide starts agency to publish Soviet dissidents: Emigres in Britain fear David Hart's CIA links in news scheme may lead to Soviet news clampdown', The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- Rose, David & Norton-Taylor, Richard (15.12.1989) 'The Day in Politics: 'Gould asks PM to explain smear link'', The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- Rose, David (9.12.1990) 'Murdoch secretly funds 'smear group'', The Observer, p.3, London: Lonrho
- Rose, David (23.12.1990) 'Murdoch funded Kinnock smears', The Observer, p.3, London: Lonrho
- Routledge, Paul (23.4.1995) 'Opposition soft-pedals on gays in army', The Independent on Sunday, p.2, London: Independent News and Media
- Routledge, Paul (25.2.1996) 'MoD will not lift gay ban', The Independent, p.2, London: Independent News and Media
- Russell, Ben & Morris, Nigel (21.5.2002) 'TORIES ATTACK LEADER ON ADOPTION POLICY', The Independent, p.8, London: Independent News and Media
- Russell, Ben (15.10.2002) 'PEERS RALLY AGAINST BILL ALLOWING GAYS TO ADOPT', The Independent, p.10, London: Independent News and Media
- Russell, Ben (17.10.2002) 'TORIES DEMAND BAR ON ADOPTION BY GAY AND UNWED COUPLES', The Independent, p.8, London: Independent News and Media
- Russell, Ben & Woolf, Marie (26.11.2003) 'BLAIR FACES DISSENT OVER CONTENTIOUS QUEEN'S SPEECH', The Independent, p.8, London: Independent News and Media
- Sarmiento, Simon (10.11.2015) 'The Jeremy Pemberton case and what it means',

- <http://www.stonewall.org.uk/our-work/blog/jeremy-pemberton-case-and-what-it-means> (accessed 3.12.2015)
- Shaw, Adrian (30.6.2003) 'ANGER AT PLAN ON GAY RIGHTS', Daily Mirror, p.10, London: Trinity Mirror
- Shaw, David (10.5.1996) 'BLAIR: WE'LL PERSUADE TOP BRASS TO LIFT GAY BAN', Evening Standard, p.2, London: Associated Newspapers
- Sherman, Jill (11.5.1996) 'ARMY GAY BAN WRONG, SAYS BLAIR', The Times, London: News International (accessed on Nexis, no page number given)
- Sherwin, Adam (21.4.2015) 'Red Ed pays price for standing up to media barons', The Independent, p.10, London: Independent Print
- Sherwin, Adam & Wright, Oliver (21.4.2015) 'Murdoch berated 'Sun' journalists for not doing enough to attack Miliband', The Independent, p.10, London: Independent Print
- Smart, Victor (31.1.88) 'Gays fear US funded legal attack', The Observer, p.3 London: Lonrho (copy at LAGNA archives)
- Smith, Richard (February 2008) 'Behind the Story - Section 28', Gay Times 353, London: Millivres Prowler Group
- <http://www.gaytimes.co.uk/Magazine/InThisIssue-articled-3489-sectionid-650.html> (accessed 24.10.2011)
- Spark, Ronald (20.2.1994) 'WHATEVER HAPPENED TO THE FREE VOICE OF PREJUDICE', Mail on Sunday, p.29, London: Associated Newspapers
- Sparrow, Andrew & Kallenbach, Michael (6.11.2002) 'Labour peers secure gay adoption victory Lords debate', Daily Telegraph, p.14, London: Telegraph Media Group
- Sparrow, Andrew (7.12.2002) 'Tory leader cool on equal rights for gay couples', Daily Telegraph, p.10, London: Telegraph Media Group
- Sparrow, Andrew (1.7.2003) 'Taxpayer faces £240m-a-year bill for gay contract', Daily Telegraph, p.5, London: Telegraph Media Group
- Spectator, The (15.10.1988) 'Hart's Desire', pp.25-6, London: Press Holdings
- Spencer, Colin (15.2.1994) 'GAY SEX IN A SHIFTING SOCIETY: A 'yes' vote next week on the age of consent for homosexual men would show we are at last at ease with our own fluid sexuality', p.20, The Guardian, London: Guardian Media Group
- Stroude, Will (10.9.2013) 'A quarter of people in the UK disagree with homosexuality, but acceptance continues to rise', Pink News, <http://www.pinknews.co.uk/2013/9/10/survey-a-quarter-of-people-in-the-uk-disagree-with-homosexuality-but-acceptance-continues-to-rise/>

(accessed 10.9.2013)

- Summerskill, Ben (1.10.2000) 'Adoption drive set to target more gay parents',  
The Observer, London: Guardian Media Group (copy at the LAGNA archives,  
no page number given)
- Sun, The (3.5.1979) 'A message to Labour supporters VOTE TORY THIS TIME It's  
the only way to stop the rot', p.1, London: News International
- Sun, The (6.5.1986) 'VILE BOOK IN SCHOOL Pupils see pictures of gay lovers',  
pp.1-2, London, News International
- Sun, The (7.5.1986) 'WILL YOU VOTE FOR A LABOUR LOONY?', p.9, London:  
News International
- Sun, The (3.2.1987) 'SUN AND GAY BOOK', p.20, London: News International
- Sun, The (11.6.1987) 'THREE TIMES A LADY Maggie set for 106-seat win', p.1;  
'The real voice of LABOUR', p.1; 'HATTERSLEY ACCUSED OF VOTES  
CON', p.2; 'My Stars! Mrs T set for hat-trick', p.2; 'Seize control of the  
police says Red Ken', p.3; 'SIX REASONS WHY YOU MUST NOT VOTE  
LABOUR', p.6; 'THEY MUST BE HOPING FOR A LABOUR WIN', p.6;  
'The Sun says', p.6; 'Election 87', pp.16-17; 'Your election laughs', p.18;  
*Four full-page advertisements for the Conservative Party: 'Don't let Labour  
wreck it', pp.19, 21, 23, 24; London: News International*
- Sun, The (12.6.1987) 'MAGGIE THE THIRD Tories romp it by 110 seats', p.1,  
London: News International
- Sun, The (16.12.1987) 'SCREAMING GAYS BRING COMMONS TO A HALT', p.1,  
London: News International
- Sun, The (9.4.1992) 'If Kinnock wins today, will the last person to leave Britain  
please turn out the lights', p.1, London: News International
- Sun, The (11.4.1992) 'IT'S THE SUN WOT WON IT', p.1, London, News  
International
- Sun, The (21.2.1994) 'DON'T GO FOR GAY SEX AT 16 WARNS HOWARD Boys  
need to be protected longer', p.2, London: News International
- Sun, The (21.2.1994) 'YOU HAVE YOUR SAY IN THE SUN', p.2, London: News  
International
- Sun, The (24.4.1995) 'LUNACY Labour plan to let gays in forces would be a  
disaster say experts', p.2, London: News International
- Sun, The (24.4.1995) 'About turn: NOW we've heard it all', p.6, London: News  
International
- Sun, The (5.3.1996) 'OUR BOYS DON'T LIKE IT UP 'EM! Keep ban on gays, says  
Forces poll', p.2, London: News International



- Sun, The (18.3.1997) 'THE SUN BACKS BLAIR', p.1, London: News International
- Sun, The (18.3.1997) 'Labour say they're fit to govern Britain so lets give them the chance to prove it', pp.6-7, London: News International
- Sun, The (18.3.1997) 'TONY BLAIR'S MESSAGE TO THE SUN', p.7, London: News International
- Sun, The (17.5.2002) 'GAY ADOPTION PLAN GETS NOD', London: News International (accessed on Nexis, no page number given)
- Sun, The (6.11.2002) 'LORDS BACK BILL', London: News International (accessed on Nexis, no page number given)
- Sun, The (7.12.2002) 'GAYS GET MORE RIGHTS THAN STRAIGHT COUPLES', London: News International (accessed on Nexis, no page number given)
- Sun, The (1.7.2003) 'OKAY FOR GAYS', London: News International (accessed on Nexis, no page number given)
- Sun, The (30.9.2009) 'LABOUR'S LOST IT', pp.1-2, London: News International
- Sun, The (30.9.2009) 'LABOUR'S LEGACY', p.2, London: News International
- Sunday Times (31.1.1988) Arts: Bakewell's View, London: News International (accessed on Nexis, no page number given)
- Sunday Times (4.11.1990) 'Dirty tricks row over TV's pursuit of Thatcher man', London: News International (accessed on Nexis, no page number given)
- Sunday Times (19.9.2004) 'Paisley wins delay on gay marriage in Ulster talks bargaining', p.14, London: News International
- Summerskill, Ben (24.11.2004) 'Don't be fooled by polite peers', The Guardian, G2, p.7, London: Guardian Media Group
- Tapsfield, James (16.7.2012) 'New delay for Chilcot Inquiry report', The Independent, London: Independent Print  
<http://www.independent.co.uk/news/politics/new-delay-for-chilcot-enquiry-report-7946568.html> (accessed 20.7.2012)
- Tatchell, Peter (7.11.1985) 'After the Cyprus Spy Trial Fiasco', Time Out p.5, London: Time Out Group
- Tatchell, Peter (24.1.1994) 'A gayer place than you think: If homosexuals were afforded equal rights, bisexuality would be the norm in Britain', The Independent, p.17, London: Independent News and Media
- Tatchell, Peter (8.5.1996) 'CAMP FOLLOWERS', The Guardian p.15, London: Guardian Media Group
- Tatchell, Peter (17.7.2013) 'There are still aspects of discrimination in the equal marriage bill', Pink News,  
<http://www.pinknews.co.uk/2013/7/17/peter-tatchell-there-are-still-asp>



- ects-of-discrimination-in-the-equal-marriage-bill/ (accessed 17.7.2013)
- Tatchell, Peter (17.2.2014) 'Legal equality is important, but not enough', ASLEF Journal, February 2014, available at:  
<http://us5.campaign-archive2.com/?u=4379a080f75712b27b8aa2fbd&id=5026190f6d&e=485bed7b3c> (accessed 17.2.2014)
- Tatchell, Peter (7.8.2014) 'Future sex: The end of gay? Does LGBTI have a future? Is gay identity just a phase?', Peter Tatchell Foundation,  
<http://www.petertatchellfoundation.org/lgbt-community/future-sexuality-end-lgbti> (accessed 7.8.2014)
- Tatchell, Peter (24.2.2015) 'European Court rules Equal Love case inadmissible. Legal bid formally closed today', Peter Tatchell Foundation,  
<http://us5.campaign-archive2.com/?u=4379a080f75712b27b8aa2fbd&id=e105396b91&e=485bed7b3c> (accessed 24.2.2014)
- Tatchell, Peter (24.2.2015) 'Peter Tatchell recalls the dirtiest, most violent and anti-gay by-election in modern British history', Pink News,  
<http://www.pinknews.co.uk/2015/02/24/peter-tatchell-recalls-the-dirtiest-most-violent-and-anti-gay-by-election-in-modern-history/>  
 (accessed 24.2.2014)
- Tatchell, Peter (20.1.2016) 'Time for straight equality in civil partnership law', Peter Tatchell Foundation,  
<http://us5.campaign-archive1.com/?u=4379a080f75712b27b8aa2fbd&id=beb5f02abf&e=485bed7b3c> (accessed 20.1.2016)
- Tatchell, Peter (29.1.2016) 'High Court rules against heterosexual civil partnerships', Peter Tatchell Foundation,  
<http://us5.campaign-archive1.com/?u=4379a080f75712b27b8aa2fbd&id=01ca64761a&c=485bed7b3c> (accessed 29.1.2016)
- Taylor, Peter (18.3.2013) 'Iraq: The spies who fooled the world', BBC News,  
<http://www.bbc.co.uk/news/uk-21786506> (accessed 18.3.2013)
- Thomson, Alice (17.5.2002) 'Adoption is about children, not homosexual rights', Daily Telegraph, London: Telegraph Media Group
- Times, The (25.11.1889) 'Police cases', p.4, column F, issue 32865, The Times Digital Archive 1785-2006
- Times, The (27.11.1889) 'The Alleged Libel of the Earl of Euston', p.7, column E, issue 32867, The Times Digital Archive 1785-2006
- Times, The (25.5.1895) 'Central Criminal Court, May 24', p.19, column B, issue 34586, The Times Digital Archive 1785-2006
- Times, The (27.5.1895) 'Before Mr Justice Wills', p.4, column G, issue 34587,

The Times Digital Archive 1785-2006

- Times, The (22.11.1985) Parliament: 'Attack on interrogation methods - Armed Forces', London: News International (accessed on Nexis, no page number given)
- Times, The (26.6.1986) Diary: 'Haringays', London: News International (accessed on Nexis, no page number given)
- Times, The (29.7.1986) Parliament: 'Haringey homosexual lessons deplored', London: News International (accessed on Nexis, no page number given)
- Times, The (1.10.1986) 'Labour Party Conference: 'We must be the party of equality', The Times, London: News International (accessed on Nexis, no page number given)
- Times, The (18.12.1986) Editorial: 'A Grass Roots Rebellion: Fight against extremism in the London Borough of Haringey', p.17, London: News International
- Times, The (3.2.1987) 'Report on gays book criticised', London: News International (accessed on Nexis, no page number given)
- Times, The (17.3.1987) 'Pregnant woman 'punched'', p.2, London: News International
- Times, The (16.12.1987) 'Gay anger at Bill', London: News International (accessed on Nexis, no page number given)
- Times, The (5.2.1988) 'Apology by unrepentant peer angers Lords', London: News International (accessed on Nexis, no page number given)
- Times, The (18.6.1992) 'Army drops gay crime', London: News International (accessed on Nexis, no page number given)
- Times, The (16.2.1994) 'Put Family First', London: News International (accessed on Nexis, no page number given)
- Toynbee, Polly (14.1.1988) 'Freedom's roadblock', The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- Toynbee, Polly (3.1.1996) 'Condemned to a conspiracy of silence', The Independent, p.13, London: Independent News and Media
- Travis, Alan (22.11.1985) The day in politics: 'Relax homosexuality law in forces' The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- Travis, Alan (3.2.1988) 'Ropetrick ladies drop in on the Lords', The Guardian, London: Guardian Media Group (accessed on Nexis, no page number given)
- Travis, Alan (18.6.1992) 'MOD DECRIMINALISES GAY SEX IN FORCES', The

- Guardian, p.8, London Guardian Media Group
- Travis, Alan (21.6.1994) 'PEERS SUPPORT CONSENT AGE OF 18', The Guardian, p.6, London Guardian Media Group
- Travis, Alan (5.8.1994) 'AXED GAYS MAY CLAIM MILLIONS', The Guardian, p.1, London: Guardian Media Group
- Travis, Alan (5.8.1994) 'NAVAL OFFICER INTERROGATED AND FIRED AFTER ADMITTING HE WAS GAY', The Guardian, p.3, London: Guardian Media Group
- Travis, Alan (6.8.1994) 'MOD UNREPENTENT OVER SACKED GAYS', The Guardian, p.3, London: Guardian Media Group
- Tweedie, Neil (30.6.2003) 'Legal rights for homosexual couples attacked—by gays', Daily Telegraph, p.1, London: Telegraph Media Group
- Tyler, Richard (1.12.2003) 'Employers face new discrimination headache', Daily Telegraph, p.33, London: Telegraph Media Group
- Verkaik, Robert (19.8.2003) 'Firms plan gay audit to avoid discrimination claims', The Independent, p.1, London: Independent News and Media
- Walker, Kirsty (8.5.2002) 'OUTRAGE AT LAW MOVE TO LET GAYS ADOPT CHILDREN', Daily Express, p.11, London: Express Newspapers
- Walker, Kirsty & Little, Alison (27.11.2003) 'ALLIES WARN PM HE FACES DEFEAT OVER TOP-UP FEES', Daily Express, p.4-5, London: Express Newspapers
- Walters, Simon (28.3.2004) 'Tory fury over tax perks for gay couples', Mail on Sunday, p.11, London: Associated Newspapers
- Ward, Lucy (15.10.2002) 'Peers could block gay adoption plan', The Guardian, p.9, London: Guardian Media Group
- Ward, Lucy (4.12.2007) 'Forms pose discrimination risk, civil partners warned', The Guardian, London: Guardian Media Group (copy at the LAGNA archives, no page number given)
- Ward, Stephen (6.8.1994) 'I did no wrong ... I was thrown out for nothing', The Independent p.4, London: Independent News and Media
- Ward, Stephen (6.8.1994) 'Forces looked for evidence against gays', The Independent, p.4, London: Independent News and Media
- Ward, Stephen (11.10.1995) 'Service chiefs tell judges gay ban must stay', The Independent, p.8, London: Independent News and Media
- Ward, Stephen (8.6.1995) 'Judge attacks forces gay ban', The Independent, p.1, London: Independent News and Media
- Ward, Stephen (4.11.1995) 'Forces gay ban ripe for review', The Independent,

p.4, London: Independent News and Media

Warner, Gerald (27.2.1994) 'Tory appeasers sell out to homofascism', The Times, London: News International (accessed on Nexis no page number given)

Watt, Nicholas (4.11.2002) 'Duncan Smith given equivocal endorsement', The Guardian, p.8. London: Guardian Media Group

Watt, Nicholas (5.11.2002) 'Portillo in Tory revolt on adoption', The Guardian, p.1, London: Guardian Media Group

Watt, Nicholas (5.11.2002) 'Tory rebel accuses MPs of ignorance', The Guardian, p.10, London: Guardian Media Group

Watt, Nicholas (10.2.2004) 'Howard endorses gay partnerships', The Guardian, p.10, London: Guardian Media Group

Waugh, Paul & Woolf, Marie (4.11.2002) 'MINISTERS READY TO DROP PLANS FOR GAY ADOPTION', The Independent, p.4, London: Independent News and Media

Waugh, Paul & Woolf, Marie (5.11.2002) 'REBELS AMBUSH DUNCAN SMITH', The Independent, p.1, London: Independent News and Media

Waugh, Paul (6.12.2002) 'GAYS TO WIN SAME RIGHTS AS MARRIED COUPLES', The Independent, p.1, London: Independent News and Media

Waugh, Paul (7.12.2002) 'WE DO NOT HAVE THE CHOICE OF GETTING MARRIED', The Independent, p.6, London: Independent News and Media

Waugh, Paul (7.12.2002) 'NEW RIGHTS FOR GAYS DIVIDE CONSERVATIVE PARTY', The Independent, p.6, London: Independent News and Media

Waugh, Paul (11.5.2003) 'BLAIR GIVES RELIGIOUS EMPLOYERS THE RIGHT TO SACK GAY WORKERS', The Independent on Sunday, p.2, London: Independent News and Media

Waugh, Paul (24.5.2003) 'GAY RIGHTS GROUP MAY SUE OVER JOB EQUALITY EXEMPTIONS', The Independent, p.5, London: Independent News and Media

Waugh, Paul (3.6.2003) 'MPS TO CHALLENGE NEW EMPLOYMENT LAW FOR GAYS', The Independent, p.6, London: Independent News and Media

Waugh, Paul (14.6.2003) 'GAY EXEMPTION MAY BE ILLIGAL, SAY MPS', The Independent, p.7, London: Independent News and Media

Waugh, Paul (1.7.2003) 'TORIES GET FREE VOTE ON GAY PARTNERSHIP RIGHTS', The Independent, London: Independent News and Media

Weale, Sally (21.2.1994) 'GAYS COME OUT FOR END TO SECRECY AND STIGMAS', The Guardian, p.4, London: Guardian Media Group

Weale, Sally & White, Michael (21.2.1994) 'MPS SPLIT OVER 16 FOR GAY

- CONSENT', The Guardian, p.20, London: Guardian Media Group
- Weale, Sally (23.2.1994) 'EUROPE TEST FOR RIGHTS CASE' The Guardian, p.2, London: Guardian Media Group
- Webb, Justin (15.11.2002) 'We are family as Lords finally OK adoption', Pink Paper, p.3, London: Chronos Publishing
- Webster, Philip (22.2.1994) 'MPs vote for homosexual consent at 18', The Times, London: News International (accessed on Nexis, no page number given)
- Webster, Philip & Hurst, Greg (5.11.2002) 'Tories in revolt as Portillo turns the knife', The Times, p.1, London: News International
- Weinberg, George (3.2.1997) 'Interview with George Weinberg' by Jack Nichols, Badpuppy Gay Today, <http://gaytoday.badpuppy.com/garchive/interview/020397in.htm> (accessed 28.1.2009)
- Whitaker, R., McSmith, A. & Johnson, A. (2.5.2004) 'Hoax or Damning Evidence', The Independent on Sunday, p.2, London: Independent News and Media
- White, M., Bates, S. & Mullin, J. (22.2.1994) 'GAY AGE OF CONSENT CUT TO 18 Angry Protests as MPs back compromise by big majority', The Guardian, p.1, London: Guardian Media Group
- White, Michael & Weale, Sally (23.2.1994) 'ACTIVISTS THREATEN 'OUTING' OF GAY MPS', The Guardian, p.2, London: Guardian Media Group
- White, Michael (10.5.1996) 'MPS VOTE TO KEEP FORCES BAN ON GAYS', The Guardian, p.1, London: Guardian Media Group
- White, Michael (11.5.1996) 'BLAIR SIGNALS DEAL ON GAYS', The Guardian, p.7, London: Guardian Media Group
- White, Michael & Blackstock, Colin (23.1.2002) 'Unmarried couples will be given right to adopt children', The Guardian, p.1, London: Guardian Media Group
- White, Michael (8.5.2002) 'Blair backs move to broaden adoption rights', The Guardian Home, p.10, London: Guardian Media Group
- White, Michael (27.11.2003) 'Blair goes looking for a fight and a third term', The Guardian, p.1, London: Guardian Media Group
- White, Michael & Hall, Sarah (25.6.2004) 'Same-sex partnership bill in chaos', The Guardian, p.3, London: Guardian Media Group
- White, Michael & Hall, Sarah (25.6.2004) 'Gay marriage bill 'wrecked' in Lords', The Guardian, p.9, London: Guardian Media Group
- White, Michael (13.10.2004) 'Minister fights Lords attempt to wreck measure which continues 'long journey' from decriminalisation of homosexuality',

- The Guardian, p.11, London: Guardian Media Group
- White, Michael (10.11.2004) 'MP fails to win rights for siblings fails', The Guardian, p.17, London: Guardian Media Group
- Whittam Smith, Andreas (31.5.2014) 'The political establishment is on the run. But it can't hide forever', The Independent, p.11, London: Independent Print
- Williams, Frances (April 1995) 'Armed forces ban to be challenged in the High Court', Gay Times, London: Millivres Prowler Group (copy at the LAGNA archives, no page number given)
- Wilson, Graeme (7.12.2002) 'Protests as gays get a promise of marriage rights', Daily Mail, p.23, London: Associated Newspapers
- Wintour, P. White, M. & Travis, A. (23.6.1995) 'THREE YEARS OF TORY TURBULENCE WHICH PUSHED A PRIME MINISTER TO THE BRINK', The Guardian, p.2, London: Guardian Media Group
- Wintour, Patrick (4.3.1996) 'SOLDIERS BACK GAY BAN, SAYS PORTILLO', The Guardian, p.7, London: Guardian Media Group
- Wintour, Patrick (17.10.2002) 'Peers reject gays' right to adopt', The Guardian, p.7, London: Guardian Media Group
- Wintour, Patrick (6.11.2002) 'Lords back gay adoption rights', The Guardian, p.11, London: Guardian Media Group
- Woodward, Admiral Sandy (21.6.1994) 'HOMOSEXUALITY THE MILITARY AND THE LAW; AS THE LORDS DEBATE DECRIMINALISING GAY SEX IN THE SERVICES OUR FALKLANDS TASK FORCE COMMANDER BACKS THEIR DECISION', Daily Mail, p.8, London: Associated Newspapers
- Woolf, Marie (23.1.2002) 'UNMARRIED COUPLES WIN RIGHT TO ADOPT', The Independent, p.1, London: Independent News and Media
- Woolf, Marie (20.4.2002) 'MPS GET FREE VOTE OVER GAY ADOPTION', The Independent, p.1, London: Independent News and Media
- Woolf, Marie (8.5.2002) 'HOMOSEXUAL RIGHTS: GOVERNMENT BACKS CALL FOR ADOPTION BY GAY COUPLES', The Independent, p.8, London: Independent News and Media
- Woolf, Marie (9.5.2002) 'HOMOSEXUAL RIGHTS: TORIES AND CHRISTIAN GROUPS FIGHT PLAN TO ALLOW GAYS TO ADOPT', The Independent, p.9, London: Independent News and Media
- Woolf, Marie (5.11.2002) 'ATTACK: PORTILLO TURNS ON DUNCAN SMITH OVER GAY ADOPTION BILL', The Independent, p.8, London: Independent News and Media

- Woolf, Marie (6.11.2002) 'LORDS VOTE DOWN TORY BID TO BLOCK ADOPTION BY GAYS', The Independent, p.8, London: Independent News and Media
- Woolf, Marie (1.4.2004) 'GAY COUPLES TO HAVE FULL MARRIED RIGHTS', The Independent, p.18, London: Independent News and Media
- Woolf, Marie (17.10.2004) 'BLAIR UNDER PRESSURE OVER WAR - DID HE IGNORE OFFICIALS' SECRET ADVICE IT WAS UNLAWFUL?', The Independent, p.30, London: Independent News and Media
- Woolf, Marie (13.10.2004) 'DISMAY AS SHADOW CABINET FAILS TO BACK GAY RIGHTS BILL', The Independent, p.20, London: Independent News and Media
- Wright, Oliver (30.5.2014) 'Bush and Blair's secret Iraq talks to remain secret, concedes Chilcot', The Independent, pp.1&9, London: Independent Print
- Wynne Davies, Patricia (18.6.1992) 'Military law on gays id modified', The Independent, p.3, London: Independent News and Media
- Wynn Davis, P., Brown, C. & MacDonald, M. (22.2.1994) 'Sexual equality for gays rejected; Angry protests greet MPs backing for consent at 18', The Independent, p.1, London: Independent news and Media
- Wynn Davies, Patricia & Brown, Colin (22.2.1994) 'Currie heckled as she urges MPs to back equality', The Independent, p.1, London: Independent News and Media

### **Language: Theory, Method and Research**

- Alpatov, Vladimir (2004) 'The Bakhtin Circle and problems in linguistics', in Brandist, C., Shepherd, D. & Tihanov, G. (2004) *The Bakhtin Circle: in the master's absence*, Manchester: MUP, pp.70-96
- Baker, Paul (2004a) 'Querying Keywords: Questions of Difference, Frequency, and Sense in Keywords Analysis', *Journal of English Linguistics*, vol.32 no.4 pp.346-359  
<http://eng.sagepub.com/cgi/content/abstract/32/4/346>
- Baker, Paul (2004b) '“Unnatural acts” Discourses of homosexuality within the House of Lords debates on gay male law reform', *Journal of Sociolinguistics* vol.8, no.1, pp.88-106
- Baker, Paul (2005) 'Public Discourses of Gay Men', Abingdon: Routledge
- Baker, Paul (2006) 'Using Corpora in Discourse Analysis', London: Continuum
- Baker, Paul (2008) 'Sexed Texts: Language, Gender and Sexuality', London: Equinox

- Baker, Paul (2012) 'Acceptable bias? Using corpus linguistics methods with critical discourse analysis', *Critical Discourse Studies* vol.9, no.3, pp.247-256
- Baker, Paul (2014) 'Using Corpora to Analyze Gender', London: Bloomsbury Academic
- Baker, P., Hardy, A. & McEnery, T. (2006) 'A Glossary of Corpus Linguistics', Edinburgh: Edinburgh University Press
- Baker, P., McEnery, T. & Gabrielatos, C. (July 2007) 'Using collocation analysis to reveal the construction of minority groups: The case of refugees, asylum seekers and immigrants in the UK press', Paper reporting on ESRC funded project, Lancaster University
- Baker, P., Gabrielatos, C., KhosraviNik, M., Krzyzanowski, M., McEnery, T. & Wodak, R. (2008) 'A useful methodological synergy? Combining critical discourse analysis and corpus linguistics to examine discourses of refugees and asylum seekers in the UK press', *Discourse and Society* vol.19, no.3, pp.273-306  
<http://das.sagepub.com/content/19/3/273>
- Bakhtin, Mikhail M. (1981) [1935] 'The Dialogic Imagination', edited by Michael Holquist, translated by Caryl Emerson & Michael Holquist, Austin: University of Texas Press
- Bakhtin, Mikhail M. (1984) [1929] 'Problems of Dostoyevsky's Poetics', translated by Caryl Emerson, Manchester: MUP
- Bakhtin, Mikhail M. (1986) [1952-3] 'Speech Genres and Other Late Essays', translated by Vern W. McGee, Austin: University of Texas Press
- Barrett, Rusty (2002) 'Is queer theory important for sociolinguistic theory?', in Campbell-Kibler, K *et al* (eds) *Language and Sexuality: Contesting Meaning in Theory and Practice*, Stamford California: CSLI Publications, pp.25-43
- Berber Sardinha, Tony (2000) 'Comparing Corpora with WordSmith Tools: How large must the reference corpus be?', in Kilgarriff, A. & Berber Sardinha, T. (eds), *Proceedings of The Workshop on Comparing Corpora (Held in conjunction with The 38th Annual Meeting of the Association for Computational Linguistics)*, pp.7-13.  
<http://acl.ldc.upenn.edu/W/W00/W00-0902.pdf> (accessed 12.5.2014)
- Blommaert, Jan (2005) 'Discourse: A Critical Introduction', Cambridge: CUP
- Blommaert, Jan (2010) 'The sociolinguistics of globalisation', Cambridge: CUP
- Brandist, Craig (1996a) 'Gramsci, Bakhtin and the Semiotics of Hegemony', New



- Left Review, 1/216 March-April 1996, pp.94-109
- Brandist, Craig (1996b) 'The official and the popular in Gramsci and Bakhtin', *Theory, Culture and Society* vol.13, no.2, pp.59-74
- Brandist, Craig (2002) 'The Bakhtin Circle: Philosophy, Culture, Politics', London: Pluto Press
- Brandist, Craig (2003) 'The origins of Soviet sociolinguistics', *Journal of Sociolinguistics* vol.7, no.2, pp.213-233
- Brandist, Craig (2004) 'Voloshinov's dilemma: on the philosophical roots of the dialogic theory of the utterance', in Brandist, C., Shepherd, D. & Tihanov, G. (2004) *The Bakhtin Circle: in the master's absence*, Manchester: MUP, pp.97-124
- Brandist, Craig (2006) 'The Rise of Soviet Sociolinguistics from the ashes of *Völkerpsychologie*', *Journal of the History of the Behavioral Sciences* vol.42, no.3, pp.261-277
- Brandist, Craig (2008) 'Sociological Linguistics in Leningrad: The Institute for the Comparative History of the Literatures and Languages of West and East (ILJaZV) 1921-33', *Russian Literature* vol.63, nos.2-4, pp.171-200
- Brandist, C., Shepherd, D. & Tihanov, G. (eds.) (2004) 'The Bakhtin Circle: In the Master's Absence', Manchester: MUP
- Brandist, Craig & Chown, Katya (eds) (2011) 'Politics and the Theory of Language in the USSR 1917-1938: The Birth of Sociological Linguistics', London: Anthem Press
- Brandist, Craig (2015) 'The Dimensions of Hegemony: Language, Culture and Politics in Revolutionary Russia', London: Brill
- Burridge, Joseph (2004) 'I am not Homophobic But... : Disclaiming in Discourse Resisting Repeal of Section 28', *Sexualities*, vol.7, no.3, pp.327-344  
<http://sexualities.sagepub.com/cgi/content/abstract/7/3/327>
- Caldas-Coulthard, Carmen R. & Coulthard, Malcolm (eds) (1996) 'Texts and practices—Readings in critical discourse analysis', London: Routledge.
- Campbell-Kibler, K., Podevsa, R.J., Roberts, S.J. & Wong, A. (eds) (2002) 'Language and Sexuality: Contesting Meaning in Theory and Practice', Stamford California: CSLI Publications
- Cameron, Deborah (1990) 'Demythologising sociolinguistics: why language does not reflect society', in Joseph, J. E. & Taylor, T. (eds) (1990) *Ideologies of Language*, London: Routledge, pp.79-93
- Cameron, Deborah (2001) 'Working With Spoken Discourse', London: Sage
- Cameron, Deborah (2005a) 'Relativity and its discontents: Language, Gender and

- Pragmatics', *Intercultural Pragmatics*, vol.2, no.3, pp.321-324
- Cameron, Deborah (2005b) 'Language, Gender and Sexuality: Current Issues and New Directions', *Applied Linguistics* vol.26, no.4, 482-502
- Cameron, Deborah (2006a) 'Ideology and language', *Journal of Political Ideologies*, vol.11, no.2, pp.141-152
- Cameron, Deborah (2006b) 'On Language and Sexual Politics', Abingdon: Routledge
- Cameron, D., Frazer, E., Harvey, P., Rampton, M. B. H. & Richardson, K.,(1992) 'Researching Language: Issues of Power and Method', London: Routledge
- Cameron, Deborah & Kulick, Don (2003) 'Language and Sexuality', Cambridge: Cambridge University Press
- Cameron, Deborah & Kulick, Don (2005) 'Identity Crisis', *Language & Communication*, vol.25, pp.107-125
- Chilton, Paul (1988) 'Orwellian Language and the Media', London: Pluto Press
- Chilton, Paul (2004) 'Analysing Political Discourse', London, Routledge
- Chouliaraki, Lilie & Fairclough, Norman (1999) 'Discourse in Late Modernity', Edinburgh: EUP
- Crystal, David (1995) 'The Cambridge Encyclopedia of the English Language', Cambridge: CUP
- Eckert, Penelope (2002) 'Demystifying Sexuality and Desire', in Campbell-Kibler, K. *et al* (eds) *Language and Sexuality: Contesting Meaning in Theory and Practice*, Stamford California: CSLI Publications, pp.99-110
- Fairclough, Norman (1992) 'Discourse and Social Change', Cambridge: Polity Press
- Fairclough, Norman (2001) 'Language and Power', Edinburgh: Pearson
- Fairclough, Norman (2003) 'Analysing Discourse: Textual analysis for social research', Abingdon: Routledge
- Firth, John R. (1957) 'Papers in Linguistics 1934-1951', London: OUP
- Fowler, Roger (1981) 'Literature as Social Discourse: The Practice of Linguistic Criticism', London: Batsford Academic
- Goffman, Erving (1981) 'Forms of Talk', Oxford: Blackwell
- Gumperz, John J & Hymes, Dell (eds) (1972) 'Directions in Sociolinguistics: The Ethnography of Communication', London: Holt, Rinehart & Winston
- Halliday, Michael A. K. (1976) 'Anti-Languages', *American Anthropologist* 78, pp.570-584
- Halliday, Michael A. K. (1978) 'Language as Social Semiotic: The social interpretation of language and meaning', London: Edward Arnold

- Harvey, Penelope (1987) 'Bilingualism in the Peruvian Andes', in Cameron, D., Frazer, E., Harvey, P., Rampton, M. B. H. & Richardson, K., (1992) *Researching Language: Issues of Power and Method*, London: Routledge, pp.65-89
- Hodge, Robert & Kress, Gunther (1988) 'Social Semiotics', Cambridge: Polity Press
- Hoey, Michael (2005) 'Lexical Priming: A New Theory of Words and Language', Abingdon: Routledge
- Holquist, Michael (2002, 2nd edn) 'Dialogism', Abingdon: Routledge
- Hymes, Dell (1972) Introduction to Volume 1 of 'Language in Society', Cambridge: CUP, pp.1-14
- Hymes, Dell (1977) 'Foundations in Sociolinguistics: An Ethnographic Approach', London: Tavistock
- Hymes, Dell (1980) [1973] 'Speech and Language: on the origins and foundations of inequality among speakers', in *Language in Education*, Washington: Center for Applied Linguistics, pp.19-61
- Ilie, Cornelia (2010a) 'Analytical perspectives on parliamentary and extra-parliamentary discourses', *Journal of Pragmatics*, 42, pp.879-884
- Ilie, Cornelia (2010b) 'Strategic uses of parliamentary forms of address: the case of the UK Parliament and the Swedish Riksdag', *Journal of Pragmatics*, 42, pp.885-911
- Jakobson, Roman (1980) [1959] 'Sign and system of language: a reassessment of Saussure's doctrine', translated by Benjamin Hrushovski, *Poetics Today*, vol.2 no.1a pp.33-38 (lecture given 2.10.1959 at the first International Symposium of 'Sign and System of Language', Erfurt, E. Germany)
- Jakobson, Roman (2006) [1958] 'Linguistics & Poetics', in Jaworski, Adam & Coupland, Nikolas (eds) (2006 2nd ed) *The Discourse Reader*, Abingdon: Routledge pp.48-54
- Jaworski, Adam & Coupland, Nikolas (eds) (2006 2nd edition) 'The Discourse Reader', Abingdon: Routledge
- Joseph, John E. (2004) 'Language and Identity: National, Ethnic, Religious', Basingstoke: Palgrave Macmillan
- Kristeva, Julia (1980) 'Desire in Language: A semiotic approach to literature and art', translated by Thomas Gora, Alice Jardine & Leon S Roudiez, Oxford: Basil Blackwell
- Livia, Anna & Hall, Kira (eds) (1997) 'Queerly Phrased: Language, Gender, and Sexuality', New York: Oxford University Press

- Matejka, Ladislav & Titunik, I. R. (1986) [1929] 'Tranlators' Preface' in Vološinov, V. N. (1986) [1929] *Marxism and the Philosophy of Language*, Cambridge Massachusetts: Harvard University Press
- Mautner, Gerlinde H. (1995) 'Only Connect: Critical Discourse Analysis and Corpus Linguistics', Technical Paper 6,  
[http://ucrel.lancs.ac.uk/tech\\_papers.html](http://ucrel.lancs.ac.uk/tech_papers.html) (accessed 19.4.2010)
- Mautner, Gerlinde (2005) 'Time to get wired: Using web based corpora in critical discourse analysis', *Discourse and Society*, vol.16, no.6, pp.809-828  
<http://das.sagepub.com/cgi/content/abstract/16/6/809>
- Mautner, Gerlinde (2007) 'Mining large corpora for social information: the case of elderly', *Language in Society* vol.36, no.1, pp.51-72
- Mautner, Gerlinde (2009) 'Checks and Balances: How Corpus Linguistics can contribute to CDA', in Wodak, Ruth & Meyer, Michael (2009, 2nd edition) *Methods of CDA*, London: Sage
- Maybin, Janet (2001) 'Language, Struggle and Voice: The Bakhtin/Volosinov Writings', in Wetherell, M., Taylor, S and Yates, S. J. (eds) (2001) *Discourse Theory and Practice: A Reader*, London: Sage, pp.64-71
- Maybin, Janet (2006) 'Children's Voices: Talk, Knowledge and Identity', Basingstoke: Palgrave Macmillan
- Mitten, Richard & Wodak, Ruth (1993) 'On the Discourse of Racism and Prejudice', *Folia Linguistica* XXVII/3-4, pp.191-215
- Medvedev, Pavel N. & Bakhtin, Mikhail M. (1978) 'The Formal Method in Literary Scholarship: a Critical Introduction to Sociological Poetics', translated by Albert J. Wehrle, Baltimore: John Hopkins University
- Morris, Pam (ed) (1994) 'The Bakhtin Reader: Selected Writings of Bakhtin, Medvedev and Voloshinov', London: Edward Arnold
- Morrish, Elizabeth (1997) 'Falling Short of God's Ideal: Public Discourse about Lesbians and Gays', in Livia, A. & Hall, K. (eds) (1997) '*Queerly Phrased: Language, Gender, and Sexuality*', New York: Oxford University Press, pp.335-345
- Morrish, Liz (2010) 'Situating and resisting homophobic discourse: Response to Leap, Junge, Peterson and Provencher', *Gender and Language*, vol.4, no.2, pp.323-335
- Murphy, M. Lynne (1997) 'The Elusive Bisexual: Social Categorization and Lexico-Semantic Change', in Livia, A. & Hall, K. (eds) (1997) '*Queerly Phrased: Language, Gender, and Sexuality*', New York: Oxford University Press, pp.35-57

- Oakes, Michael (1998) 'Statistics for Corpus Linguistics', Edinburgh: EUP
- Peel, Elizabeth (2001) 'Mundane Heterosexism: Understanding incidents of the everyday', *Women's Studies International Forum*, vol.24, no.5, pp.541-554
- Peel, Elizabeth (2004) 'Editorial note - The nomenclature of prejudice', *Lesbian and Gay Psychology Review*, vol.5, no.3, pp.78-9
- Perez de Ayala, Solidad (2001) 'FTAs and Erskine May: Conflicting Needs? - Politeness in Question Time', *Journal of Pragmatics* 33 pp.143-169
- Reisigl, Martin & Wodak, Ruth (2001) 'Discourse and Discrimination: rhetorics of racism and antisemitism', London: Routledge
- Reisigl, Martin & Wodak, Ruth (2009) 'The Discourse-Historical Approach (DHA)', in Wodak, Ruth & Meyer, Michael (2009, 2nd edn) *Methods of CDA*, London: Sage
- Richardson, John E. & Wodak, Ruth (2009) 'The Impact of Visual Racism: Visual Arguments in Political Leaflets of Austrian and British Far-right Parties', *Controversia* vol.6, issue 2. pp.45-77
- Riggins, Stephen H. (ed) (1997) 'The language and politics of exclusion', Thousand Oaks CA: Sage.
- Scott, Mike (1997) 'PC Analysis of Key Words - and Key Key Words', *System*, vol.25, no.2, pp.233-245
- Shaw, Sylvia (2000) 'Language, Gender and Floor Apportionment in Political Debates', *Discourse and Society*, vol.11, no3, pp.401-418  
<http://das.sagepub.com/content/11/3/401>
- Sinclair, John (1991) 'Corpus, Concordance, Collocation', Oxford: OUP
- Slembrouck, Stef (1992) 'The parliamentary Hansard 'verbatim' report: the written construction of spoken discourse', *Language and Literature* vol.1, no.2, pp.101-119
- Slembrouck, Stef (2001) 'Explanation, Interpretation and Critique in the Analysis of Discourse', *Critique of Anthropology*, vol.21, no.1, pp.33-57
- Stubbs, Michael (1994) 'Grammar, Text, and Ideology: Computer-assisted Methods in the Linguistics of Representation', *Applied Linguistics*, vol.15, no.2, pp.201-223
- Stubbs, Michael (1995) 'Collocations and Semantic Profiles: On the Cause of Trouble with Quantitative Studies', *Functions of Language* vol.2, no.1, pp.23-55
- Stubbs, Michael (1996) 'Text and Corpus Analysis', Oxford: Blackwell
- Stubbs, Michael (2001) 'Texts, Corpora, and Problems of Interpretation: A Response to Widdowson', *Applied Linguistics* vol.22, no.2, pp.149-172

- Tannen, Deborah (1989) 'Talking Voices: Repetition, Dialogue and Imagery in Conversational Discourse', Cambridge: CUP
- Tannen, Deborah (2007 2nd ed.) 'Talking Voices: Repetition, Dialogue and Imagery in Conversational Discourse', (2nd edn.), Cambridge: CUP
- Taylor, Stephanie (2001a) 'Locating and Conducting Discourse Analytic Research', in Wetherell, M., Taylor, S and Yates, S. J. (eds) *Discourse as Data: A Guide for Analysis*, London: Sage, pp.5-48
- Taylor, Stephanie (2001b) 'Evaluating and Applying Discourse Analytic Research', in Wetherell, M., Taylor, S and Yates, S. J. (eds) *Discourse as Data: A Guide for Analysis*, London: Sage, pp.311-330
- Tinanov, Galin (2000) 'The Master and the Slave: Lukacs, Bakhtin and the ideas of their time', Oxford: Clarendon Press
- Titunik, I.R. (1976) [1927] 'Translator's Preface', in Vološinov, V. N. (1976) [1927] *Freudianism: A Marxist Critique*, London: Academic Press
- Titunik, I.R. (2012) [1927] 'Translator's Preface', in Voloshinov, V. N. (2012) [1927] *Freudianism: A Marxist Critique*, London: Verso
- Tolson, Andrew (2006) 'Media Talk: Spoken discourse on TV and Radio', Edinburgh: EUP
- Van Dijk, Teun A. (1991) 'Racism and the Press', London: Routledge
- Van Dijk, Teun A. (1993) 'Elite discourse and racism', London: Sage
- Van Dijk, Teun A. (1997) 'Political Discourse and Racism: Describing Others in Western Parliaments', in Riggins, S. H. (ed) (1997) *The language and Politics of Exclusion: Others in Discourse*, Thousand Oakes CA: Sage, pp.31-64
- Van Dijk, Teun A. (1999) 'Discourse and Racism', *Discourse and Society* vol.10, no.2, pp.147-148
- Van Dijk, Teun A. (2001) 'Discourse, Ideology and Context', *Folia Linguistica* vol.XXXV/1-2, pp.11-40
- Van Dijk, Teun A. (2003) 'Knowledge in parliamentary debates', *Journal of Language and Politics* vol.2, no.1, pp.93-129
- Van Dijk, Teun A. (2004) 'Text and context of parliamentary debates', in Bayley, Paul (ed) *Cross-cultural perspectives on parliamentary discourse*, Amsterdam: Benjamins, pp.339-372
- Van Dijk, Teun A. (2006 a) 'Ideology and discourse analysis', *Journal of Political Ideologies* vol.11, no.2, pp.115-140
- Van Dijk, Teun A. (2006 b) 'Discourse, context and cognition', *Discourse Studies* vol.8, no.1, pp.159-177

<http://dis.sagepub.com/cgi/content/abstract/8/1/159>

Van Dijk, Teun A. (2006 c) 'Discourse and manipulation', *Discourse and Society* vol.17, no.3, pp.359-383

<http://das.sagepub.com/cgi/content/abstract/17/3/359>

Van Dijk, Teun A. (2008a) 'Discourse and Power', Basingstoke: Palgrave Macmillan

Van Dijk, Teun A. (2008b) 'Critical discourse analysis and nominalization: problem or pseudo-problem?', *Discourse and Society*, vol.19, no.6, pp.821-828 <http://das.sagepub.com/cgi/content/abstract/19/6/821>

Van Dijk, Teun A. (2009) 'Critical Discourse Studies: A Sociocognitive Approach', in Wodak, Ruth & Meyer, Michael (2009, 2nd edn) *Methods of CDA*, London: Sage

Vice, Sue (1997) 'Introducing Bakhtin', Manchester: Manchester University Press

Vološhinov, Valentin N. (1976) [1926] 'Discourse in Life and Discourse in Art (Concerning Sociological Poetics)', translated by I. R. Titunik, published as Appendix 1 in *Freudianism: A Marxist Critique*, pp.93-116, London: Academic Press

Vološhinov, Valentin N. (1976) [1927] 'Freudianism: A Marxist Critique', translated by I. R. Titunik, London: Academic Press

Vološhinov, Valentin N. (1986) [1929] 'Marxism and the Philosophy of Language', translated by Ladislav Matejka & I. R. Titunik, Cambridge Massachusetts: Harvard University Press

Voloshinov, Valentin N. (2012) [1927] 'Freudianism: A Marxist Critique', translated by I. R. Titunik, London: Verso

Voloshinov, Valentin N. (2012) [1926] 'Discourse in Life and Discourse in Art (Concerning Sociological Poetics)', translated by I. R. Titunik, published as Appendix 1 in *Freudianism: A Marxist Critique*, pp.151-196, London: Verso

Wetherell, M., Taylor, S and Yates, S. J. (eds) (2001a) 'Discourse Theory and Practice: A Reader', London: Sage

Wetherell, M., Taylor, S and Yates, S. J. (eds) (2001b) 'Discourse as Data A Guide to Analysis', London: Sage

Wilson, John (1990) 'Politically Speaking: The Pragmatic Analysis of Political Language', Oxford: Basil Blackwell

Wodak, Ruth (1991) 'Turning the Tables: Antisemitic Discourse in Post-War Austria', *Discourse and Society*, vol.2, no.1, pp.65-83

Wodak, Ruth (1996) 'The genesis of racist discourse in Austria since 1989',

- in Caldas-Coulthard C. R. & Coulthard, M. (eds) *Texts and practices—Readings in critical discourse analysis*, London: Routledge, pp.107–128
- Wodak, Ruth (1997) 'Das Ausland and anti-semitic discourse: The discursive construction of the 'other'', in Riggins, S. H. (ed) (1997) *The language and politics of exclusion*, Thousand Oakes CA: Sage, pp.65–87
- Wodak, Ruth (1999) 'Critical Discourse Analysis at the End of the 20th Century', *Research on Language and Social Interaction*, vol.32, no.1&2, pp.185-193
- Wodak, Ruth (2000) 'The Rise of Racism: An Austrian or an European Problem', *Discourse and Society*, vol.11, no.1, pp.5-6  
<http://das.sagepub.com/content/11/1/5>
- Wodak, Ruth (2003a) 'Populist Discourses: The rhetoric of exclusion in written genres', *Document Design: Journal of Research and Problem Solving in Organizational Communication* vol.14, no 2, pp.133-148
- Wodak, Ruth (2003b) 'Discourse of Silence: Anti-Semitic Discourse in Postwar Austria', in Thiesmeyer, Lynn (ed) (2003) *Discourse and Silencing: Representation and the Language of Displacement*, Amsterdam: John Benjamins, pp.179-209
- Wodak, Ruth (2006a) 'Mediation between discourse and society: assessing cognitive approaches in CDA', *Discourse Studies* vol.8, no.1, pp.179-190  
<http://dis.sagepub.com/cgi/content/abstract/8/1/179>
- Wodak, Ruth (2006b) 'History in the Making/The Making of History: The 'German Wehrmacht', in Collective and Individual Memories', *Journal of Language and Politics* vol.5, no.1, pp.125-154
- Wodak, Ruth (2006c) 'Dilemmas of discourse (analysis)', *Language in Society*, vol.35, pp.595-611
- Wodak, Ruth (2007) 'Pragmatics and Critical Discourse Analysis: A cross-disciplinary inquiry', *Pragmatics and Cognition* vol.15, no.1, pp.203-225  
<http://www.jbe-platform.com/content/journals/10.1075/pc.15.1.13wod>
- Wodak, Ruth (2008a) 'Us' and 'Them': Inclusion and Exclusion - Discrimination via Discourse', in Delanty, G., Wodak, R. & Jones, P. (2008) *Identity, Belonging and Migration* Liverpool: Liverpool University Press, pp.54-77
- Wodak, Ruth (2008b) 'The contribution of critical linguistics to the analysis of discriminatory prejudices and stereotypes in the language of politics', in Wodak, R. & Koller, V. (eds) (2008) *Handbook of Communication in the Public Sphere*, Berlin: Mouton de Gruyter, pp.291-315
- Wodak, R., de Cillia, R., Gruber, H., Mitten, R., Nowak, P. & Pelikan, J. (1990) *"Wir sind alle unschuldige Täter!" Studien zum antisemitischen Diskurs im*



- Nachkriegsöster-reich* [“We are all innocent perpetrators!” Studies on antisemitic discourse in postwar Austria]. Frankfurt am Main: Suhrkamp
- Wodak, Ruth & de Cillia, Rudolf (2007) ‘Commemorating the past: the discursive construction of official narratives about the Rebirth of the Second Austrian Republic’, *Discourse and Communication*, vol.1, no.3, pp.337-63  
<http://dcm.sagepub.com/content/1/3/337>
- Wodak, R. & Koller, V. (eds) (2008) *Handbook of Communication in the Public Sphere*, Berlin: Mouton de Gruyter, pp.291-315
- Wodak, R. & Meyer, M. (2009, 2nd edn) ‘Methods of CDA’, London: Sage
- Yule, George (1996) ‘Pragmatics’, Oxford: OUP
- Zwicky, Arnold M. (1997) ‘Two Lavender Issues for Linguists’, in Livia, A. & Hall, K. (eds) (1997) *Queerly Phrased: Language, Gender, and Sexuality*, New York: Oxford University Press, pp.21-34

### **Corpus Software**

- Anthony, Laurence (2006) ‘AntConc 3.2.0m (Macintosh OSX) 2006’,  
[http://www.antlab.sci.waseda.ac.jp/antconc\\_index.html](http://www.antlab.sci.waseda.ac.jp/antconc_index.html)
- Scott, Mike (2010) ‘WordSmith Tools 5’, Lexical Analysis Software Ltd  
<http://www.lexically.net/LexicalAnalysisSoftware/index.html>
- Scott, Mike (2013) ‘WordSmith Tools 6’, Lexical Analysis Software Ltd  
<http://www.lexically.net/LexicalAnalysisSoftware/index.html>

### **Broadcasts and Lectures**

- Eagle, Angela MP (23.2.2011) ‘Pride and Politics’, 2nd annual LGBT lecture, Rewley House, Oxford
- ITV Leaders Debate (2.4.2015) pre-election debate between seven party leaders: Leanne Wood (Plaid Cymru), Natalie Bennett (Green), Nicola Sturgeon (SNP), Ed Milliband (Labour), Nick Clegg (Liberal Democrat), David Cameron (Conservative), Nigel Farage (UKIP), chaired by Julie Etchingham
- BBC2 (2.4.2012) ‘Modern Spies’, episode 1, presented by Peter Taylor, included an interview with ‘curveball’
- BBC World Service (12.1.2016) The Inquiry: ‘Do We Have Enough Genders?’, presented by Maria Margaronis,  
<http://www.bbc.co.uk/programmes/p03dlz6f> (accessed 13.1.2016)
- Mushtaq, Imran (12.1.2016) interviewed by Maria Margaronis during ‘Do We Have Enough Genders?’, BBC World Service, The Inquiry,

<http://www.bbc.co.uk/programmes/p03dlz6f> (accessed 13.1.2016)

Watson, Tom MP (3.12.2014) 'Unfinished Business: The press, the police, phone hacking and more', Hacked Off 2nd Levison anniversary lecture, One Great George St, London - available at:

<http://hackinginquiry.org/latest-news/tom-watson-mps-speech-for-the-2nd-levison-anniversary-lecture/>

### **History, Law, Politics, Sexuality: Books, Articles, Reports**

Ackroyd, Peter (2000) 'London: The Biography', London: Chatto and Windus

Adam, Barry D. (1998) 'Theorizing Homophobia', *Sexualities* vol.1, no.4, pp.387-404

Adams, Carol (1982) 'Ordinary Lives A Hundred Years Ago', London: Virago

Adams, George Burton & Stephens, Henry Morse (1901) 'Select Documents of English Constitutional History', London: MacMillan

Allport, Gordon W. (1979) [1954] 'The Nature of Prejudice', USA: Addison-Wesley

Altman, D., Vance, C., Vicinus, M. & Weeks, J. (eds) (1989) 'Which Homosexuality? essays from the international conference on lesbian and gay studies', London: GMP & Amsterdam: Uitgeverij An Dekker/Schorer

Altman, Dennis & Symons, Jonathan (2016) 'Queer Wars', Cambridge: Polity Press

Amnesty International Report (2013) 'Making Love a Crime: Criminalisation of same-sex conduct in sub-Saharan Africa' Index no. AFR 01/001/2013, London: Amnesty International

Amnesty International (2014) 'The State Decides Who I Am: lack of legal gender recognition for transgender people in Europe', London: Amnesty International

Badinter, Elisabeth (1981) 'The Myth of Motherhood: An Historical View of the Maternal Instinct', London: Souvenir Press

Bailey, Derrick S. (1955) 'Homosexuality and the Western Christian Tradition', London: Longmans, Green & Co. Ltd.

Baird, Vanessa (2004) 'Sex, Love & Homophobia', London: Amnesty International

Baird, Vanessa (2007) (2nd ed.) 'The No-Nonsense Guide to Sexual Diversity', Oxford: New Internationalist Publications

Baker, Paul & Stanley, Jo (2003) 'Hello Sailor! The Hidden History of Gay Life at Sea', Edinburgh: Pearson Education

Baldwin, Matthew & Hescott, Thomas (2014) 'Outings', touring production performed at the Oxford Playhouse 24.3.2015 with after performance

discussion

- Barker, Nicola (2004) 'For Better or Worse? The Civil Partnership Bill', *Journal of Social Welfare and Family Law* vol.26, no.3, pp.313-324
- Basham, Victoria (2009) 'Effecting Discrimination: Operational Effectiveness and Harrassment in the British Armed Forces', *Armed Forces and Society*, vol.35, no.4, pp.728-744  
<http://afs.sagepub.com/cgi/content/abstract/35/4/728>
- Beharrell, Peter (1993) 'AIDS and the British Press', in Eldridge, John (ed) (1993) *Getting the Message: News, Truth and Power*, London: Routledge, pp.210-249
- Bell, David & Binnie, Jon (2000) *The Sexual Citizen: Queer Politics and Beyond*, Cambridge: Polity Press
- Beller, Steven (2007) *'Antisemitism A Very Short Introduction'*, Oxford: OUP
- Benn, Tony (1995) *'The Benn Diaries'*, London: BCA
- Bennett, T., Martin, G., Mercer, C. & Woollacott, J. (1981) *'Culture, Ideology and Social Process: A Reader'*, London: Batsford Academic
- Berlant, Lauren & Warner, Michael (1995) 'What does queer theory teach us about X', *PMLA* vol.110, no.3, pp.343-349
- Berlant, Lauren & Warner, Michael (1998) 'Sex in Public', *Critical Inquiry* vol.24, no.2, pp.547-566
- Billig, Michael (1987) *'Arguing and Thinking: A Rhetorical Approach to Social Psychology'*, Cambridge: CUP
- Billig, Michael (1997) 'Discursive, rhetorical and ideological messages', in McGarty, C & Haslam, A (eds) (1997) *The Message of Social Psychology*, Oxford: Blackwell
- Billig, Michael (1999) 'Freudian repression: conversation creating the unconscious' Cambridge CUP
- Blackmore, Susan (2005) *'Consciousness A Very Short Introduction'*, Oxford: OUP
- Blackstone, William (1769) *'Commentaries on the Laws of England' Volume 4*, Oxford: Clarendon Press
- Bourdieu, Pierre (1977) *'Outline of a Theory of Practice'*, translated by Richard Nice, Cambridge: CUP
- Bourdieu, Pierre (1991) *'Language and Symbolic Power'*, translated by Gino Raymond & Matthew Adamson, Cambridge: Polity Press
- Bray, Alan (1995) [1982] *'Homosexuality in Renaissance England'*, New York: Columbia University Press

- Bristow, Edward J. (1977) 'Vice and Vigilance: Purity Movements in Britain since 1700', Dublin: Gill and Macmillan
- Brown, Judith C. (1991) 'Lesbian Sexuality in Medieval and Early Modern Europe', in Duberman, M., Vicinus, M. & Chauncy, G. (1991) *Hidden from History: Reclaiming the Gay and Lesbian Past*, London: Penguin, pp.67-75
- Bullough, Vern L. (1974) 'Heresy, Witchcraft, and Sexuality', *Journal of Homosexuality*, vol.1, no.2, pp.183-201
- Butler, Judith (1997) 'Excitable Speech: A Politics of the Performative', London: Routledge
- Butler, Judith (2004) 'Undoing Gender', Abingdon: Routledge
- Byrne, Jack (2014) 'Licence to be Yourself', Open Society Foundations Report, New York: Open Society Foundations,  
<http://www.opensocietyfoundations.org/reports/license-be-yourself>  
 (accessed 10.4.2015)
- Cant, Bob & Hemmings, Susan (eds.)(1988) 'Radical Records: Thirty years of lesbian and gay history, 1957-1987', London: Routledge
- Caplan, Pat (ed) (1987) 'The Cultural Construction of Sexuality', London: Tavistock
- Carr, Edward H. (1980) 'The Russian Revolution from Lenin to Stalin 1917-1929', London: Macmillan (Papermac)
- Christian Institute (2002) 'Counterfeit Marriage: how civil partnerships devalue the currency of marriage',  
<http://www.christian.org.uk/pdfpublications/counterfeit-marriage.pdf>  
 (accessed 27.1.2010)
- Cobb, Neil (2009) 'Gay Couple's Break Like Fawlty Towers: Dangerous Representations of Lesbian and Gay Oppression in an Era of 'Progressive' Law Reform', *Social and Legal Studies*, vol.18, no.3, pp.333-352  
<http://sls.sagepub.com/cgi/content/abstract/18/3/333>
- Connell, R. W. (2003) 'The Big Picture: Masculinities in Recent World History', in Weeks, J., Holland, J. & Waites, M. (eds) (2003) *Sexualities and Society*, Cambridge: Polity Press
- Connell, R. W. (2005) (2nd edition) 'Masculinities', Cambridge: Polity Press
- Conservative Party General Election Manifesto (1987), Political News.co.uk  
<http://www.conservative-party.net/manifestos/1987/1987-conservative-manifesto.shtml> (accessed 30.5.2011)
- Cooper, Davina (1992) 'Off the banner and onto the agenda: the emergence of a new municipal lesbian and gay politics, 1979-1986', *Critical Social Policy*,

vol.12, no.36, pp.20-39

- Cooper, Davina (1993a) 'An Engaged State: Sexuality, Governance, and the Potential for Change', *Journal of Law and Society*, vol.20 no.3 pp.257-275
- Cooper, Davina (1993b) 'The Citizen's Charter and Radical Democracy: Empowerment and Exclusion within Citizenship Discourse', *Social and Legal Studies*, vol.2 pp.149-171
- Cooper, Davina (2000) 'And You Can't Find Me Nowhere': Relocating Identity and Structure within Equality Jurisprudence', *Journal of Law and Society*, vol.27 no.2 pp.249-272
- Crompton, Louis (1998) [1985] 'Byron and Greek Love: Homophobia in 19th Century England', Swaffham: GMP
- Curran, James & The Goldsmiths College Media Research Group (1987) 'Media Coverage of London Councils', Interim Report, London: Goldsmiths College
- Curran, J., Gaber, I. & Petley, J. (2005) 'Culture Wars: The Media and the British Left', Edinburgh: EUP
- Dally, Ann (1982) 'Inventing Motherhood: The consequences of an ideal', London: Burnett Books
- Davies, Nick (2014) 'Hack Attack: How the truth caught up with Rupert Murdoch', London: Chatto & Windus
- Dekker, Rudolf M. & Van de Pol, Lotte C. (1989) 'The Tradition of Female Transvestism in Early Modern Europe', Basingstoke: Macmillan
- Dey, Ian (2005) 'Adapting adoption: a case of closet politics', *International Journal of Law, Policy and the Family*, vol.19, pp.289-309, (online at Westlaw UK, pp.1-15 on printout)
- Diduck, Alison (2001) 'A Family by any other Name ... or Starbucks comes to England', *Journal of Law and Society*, vol.28, no.2, pp.290-310
- Duberman, M., Vicinus, M. & Chauncy, G. (1991) 'Hidden from History: Reclaiming the Gay and Lesbian Past', London: Penguin
- Duberman, M., (2013) 'The Martin Duberman Reader: The essential Historical, Biographical and Autobiographical Writings', New York: NY Press
- Durham, Martin (1989) 'The Thatcher Government and the Moral Right', *Parliamentary Affairs*, vol.42, no.1, pp.58-71
- Durham, Martin (1994) 'Major and Morals: Back to Basics and the Crisis of Conservatism', *Talking Politics*, vol.7, no.1, pp.12-16
- Eagleton, Terry (1981) 'Walter Benjamin or Towards a Revolutionary Criticism', London: Verso
- Eagleton, Terry (1982) 'Wittgenstein's Friends', *New Left Review* 1/135,

- September-October 1982, pp.64-70
- Eagleton, Terry (1991) 'Ideology: an introduction', London: Verso
- Elan-Cane, Christie (2015) 'Live Journal',  
<http://elancane.livejournal.com/> (accessed 10.4.2015)
- Eldridge, John (ed) (1993) 'Getting the Message: News, Truth and Power',  
 London: Routledge
- Ellis, Sonja J. & Kitzinger, Celia (2002) 'Denying Equality: An Analysis of  
 Arguments against Lowering the Age of Consent between Men', *Journal of  
 Community and Applied Social Psychology* vol.12, pp.167-180
- Elton, Geoffrey R. (1986) 'The Parliament of England 1559-1581', Cambridge:  
 CUP
- Epstein, Debbie (2000) 'Sexualities and Education: Catch 28', *Sexualities* vol.3,  
 no.4, pp.387-394  
<http://sexualities.sagepub.com/cgi/content/3/4/387>
- Epstein, Debbie, Johnson, Richard & Steinburg, Deborah L. (2000) 'Twice Told  
 Tales: Transformation, Recuperation and Emergence in the Age of Consent  
 Debates 1998', *Sexualities* vol.3, no.1, pp.5-30  
<http://sexualities.sagepub.com/cgi/content/abstract/3/1/5>
- Evans, David T. (1989) 'Section 28: law, myth and paradox', *Critical Social Policy*  
 vol.9 no.27 pp.73-95
- Evans, David T. (1993) 'Sexual Citizenship: The Material Construction of  
 Sexualities', London: Routledge
- Field, John (2002) 'The Story of Parliament in the Palace of Westminster',  
 London: Politico's Publishing and James and James
- Fone, Byrne (2000) 'Homophobia: A History', New York: Metropolitan Books
- Foucault, Michel (1972) [1969] 'The Archeology of Knowledge', translated by  
 A. M. Sheridan Smith, London: Tavistock
- Foucault, Michel (1981) [1970] 'The Order of Discourse', (Inaugural Lecture at  
 the College de France 2.12.1970 translated by permission) in Young,  
 Robert (1981) *Untying the Text: A Post-Structuralist Reader*, pp.48-78
- Foucault, Michel (1987) [1976] 'The History of Sexuality: An Introduction',  
 translated by Robert Hurley, Harmondsworth: Penguin
- Foster, Jonathan K. (2009) *Memory: A Very Short Introduction*, Oxford: OUP
- FRA EU Agency for Fundamental Rights (2014) 'Being Trans in the European  
 Union: Comparative analysis of EU LGBT survey data', Vienna: FRA
- Gay Left Collective (eds) (1980) *Homosexuality: Power and Politics*, London:  
 Allison & Busby

- Ghattas, Dan C. (2013) 'Human Rights between the Sexes: A preliminary study on the life situations of inter\* individuals', The Heirich Boll Foundation Publication Series on Democracy, Vol.34
- Gilbert, Arthur N. (1976) 'Buggery and the British Navy 1700-1861', *Journal of Social History*, vol.10, no.1, pp.72-98
- Gilbert, Arthur N. (1977) 'Sexual Deviance and Disaster during the Napoleonic Wars', *Albion: A Quarterly Journal Concerned with British Studies*, vol.9, no.1, pp.98-113
- GLC in Co-operation with its Gay Working Party (1985) 'Changing the World: A Charter for Lesbian and Gay Rights', London: GLC Public Relations Branch
- GLC and the GLC Women's Committee (1986) 'Tackling Heterosexism: A Handbook of Lesbian Rights', London: GLC Public Relations Branch
- Glennon, Lisa (2006) 'Strategizing for the Future through the Civil Partnership Act', *Journal of Law and Society*, vol.33, no.2, pp.244-76
- Goodich, Michael (1976) 'Sodomy in Medieval Secular Law', *Journal of Homosexuality*, vol.1, no.3, 295-302
- Goodich, Michael (1976) 'Sodomy in Ecclesiastical Law and Theory', *Journal of Homosexuality*, vol.1, no.4, 427-34
- Grabham, Emily (2007) 'Citizen Bodies, Intersex Citizenship', *Sexualities*, vol.10, no.1, pp.29-48
- Grabham, Emily (2010) 'Governing Permanence: Trans Subjects, Time and the Gender Recognition Act', *Social and Legal Studies*, vol.19, no.1, pp.107-26
- Gramsci, Antonio (1971) 'Selections from the Prison Notebooks', edited and translated by Quinten Hoare & Geoffrey Nowell-Smith, London: Lawrence & Wishart
- Hall, Edmund (1995) 'We Can't Even March Straight: Homosexuality and the British Armed Forces', London: Vintage
- Hall, Stuart (1980a) 'Cultural Studies at the Centre: some problematics and problems', in Hall, S., Hobson, D., Lowe, A. & Willis, P. (eds) *Culture, Media, Language: Working Papers in Cultural Studies, 1972-79*, London: Hutchinson, pp.15-47
- Hall, Stuart (1980b) 'Introduction to Media Studies at the Centre', in Hall, S., Hobson, D., Lowe, A. & Willis, P. (eds) *Culture, Media, Language: Working Papers in Cultural Studies, 1972-79*, London: Hutchinson, pp.117-121
- Hall, Stuart (1980c) 'Encoding/decoding', in Hall, S., Hobson, D., Lowe, A. & Willis, P. (eds) *Culture, Media, Language: Working Papers in Cultural*

- Studies, 1972-79*, London: Hutchinson, pp.128-138
- Hall, Stuart (1980d) 'Recent developments in theories of language and ideology: a critical note', in Hall, S., Hobson, D., Lowe, A. & Willis, P. (eds) *Culture, Media, Language: Working Papers in Cultural Studies, 1972-79*, London: Hutchinson, pp.157-162
- Hall, Stuart (1981) 'Cultural Studies: two paradigms', in Bennett, T., Martin, G., Mercer, C. & Woollacott, J. (eds) *Culture, Ideology and Social Process: A Reader*, London: Batsford Academic & Educational, pp.20-37
- Hall, Stuart (1993) 'Metaphors of Transformation', in White, Allon (1993) *Carnival, Hysteria and Writing*, Oxford: OUP, pp.1-25
- Hall, Stuart (ed) (1997a) 'Representation: Cultural Representations and Signifying Practices', Milton Keynes: Open University
- Hall, Stuart (1997b) 'Foucault: Power, Knowledge and Discourse', reproduced in Wetherell, M., Taylor, S. and Yates, S. J. (eds) (2001) *Discourse Theory and Practice: A Reader*, London: Sage, pp.72-80
- Hall, S., Hobson, D., Lowe, A. & Willis, P. (eds) (1980) 'Culture, Media, Language: Working Papers in Cultural Studies, 1972-79', London: Hutchinson
- Harding, Rosie (2006) 'Dogs are "Registered", People Shouldn't Be: Legal Consciousness and Lesbian and Gay Rights', *Social Legal Studies* vol.15, no.4, pp.511-533  
<http://sls.sagepub.com/cgi/content/abstract/15/4/511>
- Harding, Rosie (2008) 'Recognizing (and Resisting) Regulation: Attitudes to the Introduction of Civil Partnership', *Sexualities* vol.11, no.6, pp.740-760  
<http://sexualities.sagepub.com/cgi/content/abstract/11/6/740>
- Hegarty, Peter (2003) 'Homosexual Signs and Heterosexual Silences: Rorschach Research on Male Homosexuality from 1921 to 1969', *Journal of the History of Sexuality*, Vol 12, No 3, July 2003, pp.400-423
- Hegarty, Peter & Massey, Sean (2007) 'Anti-Homosexual Prejudice... as Opposed to What? Queer Theory and the Social Psychology of Anti-Homosexual Attitudes', *Journal of Homosexuality* vol.52, no.1, pp.47-71
- Hemmings, Susan (1980) 'Horrific Practices: How lesbians were presented in the newspapers of 1978', in Gay Left Collective (eds) (1980) *Homosexuality: Power and Politics*, pp.157-151, London: Allison & Busby
- Herek, Gregory M (2004) 'Beyond "Homophobia": Thinking About Sexual Prejudice and Stigma in the Twenty First Century', *Sexuality Research and Social Policy*, vol.1, no.2, pp.6-24
- Hicks, Stephen (2005) 'Queer Genealogies: Tales of Conformity and Rebellion



- amongst Lesbian and Gay Foster Carers and Adopters', *Qualitative Social Work*, vol.4, no.3, pp.293-308  
<http://qsw.sagepub.com/content/4/3/293>
- Hines, Sally (2007) '(Trans)Forming Gender: Social Change and Transgender Citizenship', *Sociological Research Online*, Vol.12, no.1  
<http://www.socresonline.org.uk/12/1/hines.html>
- Hines, Sally (2013) 'Gender Diversity, recognition and citizenship: towards a politics of difference', Basingstoke: Palgrave Macmillan
- Hitchcock, Tim (1997) 'English Sexualities 1700-1800', Basingstoke: Macmillan
- Hobsbawm, Eric J. (1977) 'The Age of Capital', London: Abacus
- Hodges, Ian (2004) 'Challenging homophobia and sexual prejudice', Guest editorial in *Lesbian and Gay Psychology Review*, vol.5, no.3 pp.80-81
- Howarth, Patrick (1956) 'Questions in the House: The History of a Unique British Institution', Oxford: Bodley Head
- Howe, Stephen (2002) 'Empire: A Very Short Introduction', Oxford: OUP
- Hunt, Ruth & Manji, Ayaz (2015) 'Trans People and Stonewall', London: Stonewall
- Hyam, Ronald (1990) 'Empire and Sexuality: The British Experience', Manchester: MUP
- Hyde, H. Montgomery (1970) 'The Other Love: An Historical and Contemporary Survey of Homosexuality in Britain', London: Heinemann
- ISNA Intersex Society of North America (2014) 'What is Intersex?'  
[http://www.isna.org/faq/what\\_is\\_intersex](http://www.isna.org/faq/what_is_intersex) (accessed 15.2.2014)
- Jeffrey-Poulter, Stephen (1991) 'Peers, Queers and Commons: The struggle for gay law reform from 1950 to the present', London: Routledge
- Kaoma, Kapya John (2012) 'Colonising African Values: How the US Christian Right is Transforming Sexual Politics in Africa', Massachusetts: Political Research Associates
- Kelliher, Diarmaid (2014) 'Solidarity and Sexuality: Lesbians and Gays Support the Miners 1984-5', *History Workshop Journal*, issue 77, pp.240-262
- Kitzinger, Celia (1987a) 'Heteropatriarchal language: The case against "homophobia"', *Gossip: A Journal of Lesbian Feminist Ethics*, no.5, pp.15-20, London: Onlywomen Press
- Kitzinger, Celia (1987b) 'The Social Construction of Lesbianism', London: Sage
- Kitzinger, Celia (1996) 'Speaking of Oppression: Psychology, Politics and the Language of Power', in Rothblum, Esther D. & Bond, Lynne A. (eds.)(1996) *Preventing Heterosexism and Homophobia*, Thousand Oaks CA: Sage,

pp.3-19

- Knowles, David (1959) 'The Religious Orders in England Volume III: The Tudor Age', Cambridge: CUP
- Laclau, Ernesto & Mouffe, Chantal (1985) 'Hegemony and Socialist Strategy: Towards a Radical Democratic Politics', London: Verso
- Laclau, Ernesto & Mouffe, Chantal (2001, 2nd ed.) 'Hegemony and Socialist Strategy: Towards a Radical Democratic Politics', London: Verso
- Lennox, Corinne & Waites, Matthew (eds) (2013) 'Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change', Institute of Commonwealth Studies, University of London,  
<http://commonweath.sas.ac.uk/publications/house-publications/lgbt-rights-commonwealth> (accessed 10.6.2014)
- Lewis, Holly (2016) 'The Politics of Everybody: Feminism, Queer Theory and Marxism at the Intersection', London: Zed Books
- LGBT History Project UK (2014) 'Timeline of UK LGBT History',  
[http://lgbthistoryuk.org/wiki/index.php?title=Timeline\\_of\\_UK\\_LGBT\\_History](http://lgbthistoryuk.org/wiki/index.php?title=Timeline_of_UK_LGBT_History) (accessed 26.5.2014)
- Lumsden, Andrew (1988) 'Parrot Cries', in Cant, Bob & Hemmings, Susan (eds.) (1988) *Radical Records: Thirty years of lesbian and gay history, 1957-1987*, London: Routledge, pp.193-205
- Mars-Jones, Adam (1988) 'The Book that Launched Clause 28', Index on Censorship vol.17, no.8, pp.37-40
- McGhee, Derek (2000) 'Persecution and Social Group Status', Journal of Refugee Studies, vol.14, no.1, pp.20-42
- McGhee, Derek (2001) 'Homosexuality, Law and Resistance', London: Routledge
- McIntosh, Mary (1981) [1968] 'The Homosexual Role', in Plummer, Kenneth (1981) *The Making of the Modern Homosexual*, London: Hutchinson
- McKnight, David (2013) 'Murdoch's Politics: How one man's thirst for wealth and power shapes our world', London: Pluto Press
- Millbank, Jenni (2005) 'A Preoccupation with Perversion: the British Response to Refugee Claims on the Basis of Sexual Orientation 1989-2003', Social and Legal Studies, vol.14, no.1, pp.115-138
- Milne, Seamus (1994) 'The Enemy Within: MI5, Maxwell and the Scargill Affair', London: Verso
- Moran, Joe (2001) 'Childhood Sexuality and Education: The Case of Section 28', Sexualities vol.4, no.1, pp.73-89

- <http://sexualities.sagepub.com/cgi/content/abstract/4/1/73>
- NatCen Social Research (2013) 'The 30th British Social Attitudes report',  
<http://www.bsa-30.natcen.ac.uk> (accessed 10.9.2013)
- Nixon, David (2008) 'No More Tea Vicar: An Exploration of the Discourses which Inform the Current Debates about Sexualities within the Church of England', *Sexualities* vol.11 no.5 pp.595-620  
<http://sexualities.sagepub.com/cgi/content/abstract/11/5/595>
- Norton, Rictor (2008a) 'A History of Homophobia 1: The Ancient Hebrews',  
<http://rictornorton.co.uk/homopho1.htm> (accessed 11.11.2009)
- Norton, Rictor (2008b) 'A History of Homophobia 2: The Destruction of Sodom and Gomorrah',  
<http://rictornorton.co.uk/homopho2.htm> (accessed 11.11.2009)
- Norton, Rictor (2008c) 'A History of Homophobia 3: The Later Roman Empire and the Early Middle Ages',  
<http://rictornorton.co.uk/homopho3.htm> (accessed 11.11.2009)
- Norton, Rictor (2008d) 'A History of Homophobia 4: Gay Heretics and Witches: Buggery in Bulgaria',  
<http://rictornorton.co.uk/homopho4.htm> (accessed 11.11.2009)
- Norton, Rictor (2008e) 'A History of Homophobia 5: The Medieval Basis of Modern Law',  
<http://rictornorton.co.uk/homopho5.htm> (accessed 11.11.2009)
- Norton, Rictor (2008f) 'Gay History and Literature: The Nature of Lesbian History',  
<http://rictornorton.co.uk/lesbians.htm> (accessed 19.11.2009)
- Norton, Rictor (2009a) 'Lesbian Marriages in Eighteenth Century England',  
<http://rictornorton.co.uk/eighteen/lesmarr.htm> (accessed 19.11.2009)
- Norton, Rictor (2009b) 'Popular Rage (Homophobia): The Gay Subculture in Georgian England',  
<http://rictornorton.co.uk/eighteen/homophob.htm>  
 (accessed 19.11.2009)
- Oliver, Hazel (2004) 'Sexual orientation discrimination: perceptions, definitions and genuine occupational requirements', *Industrial Law Journal*, vol.33 no.1, pp.1-21, (online at Westlaw UK, pp.1-15 on printout)
- Otitoju, Femi (1988) 'Should we, shouldn't we', in Cant, Bob & Hemmings, Susan (eds.)(1988) *Radical Records: Thirty years of lesbian and gay history, 1957-1987*, London: Routledge, pp.222-231
- Parish, Helen (2000) 'England', in Pettergre, Andrew (ed) (2000) *The Reformation*

- World* London: Routledge, pp.225-236
- Pearce, Frank (1981) 'The British press and the 'placing' of male homosexuality', in Cohen, Stanley & Young, Jock (eds) (1981) *The manufacture of news: social problems, deviance and the mass media*, London: Constable, pp.303-316
- Petley, Julian (2005) 'Hit and Myth', in Curran et al (2005) *Culture Wars: The Media and the British Left*, Edinburgh: EUP, pp.85-107
- Petley, Julian (2005) 'Hate on the Rates', in Curran et al (2005) *Culture Wars: The Media and the British Left*, Edinburgh: EUP, pp.108-157
- Petley, Julian (2005) 'Positive and Negative Images', Curran et al (2005) *Culture Wars: The Media and the British Left*, Edinburgh: EUP, pp.158-153
- Pettergre, Andrew (ed) (2000) 'The Reformation World' London: Routledge
- Pharr, Clyde (1952) in collaboration with Theresa Sherrer Davidson and Mary Brown Pharr, 'The Theodosian Code and Novels, and the Simondian Constitutions', New Jersey: Princeton University Press
- Plummer, Kenneth (1981) 'The Making of the Modern Homosexual', London: Hutchinson
- Plummer, Ken (1995) 'Telling Sexual Stories', London: Routledge
- Purdam, K, Wilson, A, Afkhami, R, & Olsen, W (2008) 'Surveying sexual orientation: Asking difficult questions and providing useful answers', *Culture, Health and Sexuality*, vol.10 no.2 pp.127-141
- Rahman, Momin (2004) 'The Shape of Equality: Discursive Deployments during the Section 28 Repeal in Scotland', *Sexualities* vol.7, no.2 pp.150-165  
<http://sexualities.sagepub.com/cgi/content/abstract/7/2/150>
- Rattansi, Ali (2007) 'Racism: A Very Short Introduction', Oxford: OUP
- Rees, David (1992) 'Not For Your Hands: An Autobiography', Exeter: Third House
- Reinhold, Susan (1994a) 'Local Conflict and Ideological Struggle: 'Positive Images' and Section 28', unpublished PhD thesis, University of Sussex
- Reinhold, Susan (1994b) 'Through the Parliamentary Looking Glass: 'Real' and 'Pretend' Families in Contemporary British Politics', *Feminist Review*, no.48, pp.61-79
- Richardson, Diane (2007) 'Patterned Fluidities: (Re-Imagining the Relationship between Gender and Sexuality', *Sexualities*, vol.41, no.3, pp.457-474
- Rothblum, Esther D. & Bond, Lynne A. (eds.)(1996) 'Preventing Heterosexism and Homophobia', Thousand Oaks CA: Sage
- Rowbotham, Sheila (2008) 'Edward Carpenter: A Life of Liberty and Love', London: Verso

- Ruthven, Malise (2007) 'Fundamentalism: A Very Short Introduction', Oxford: OUP
- Sedgwick, Eve Kosofsky (2008) (2nd ed) 'Epistemology of the Closet', Berkeley: University of California Press
- Seidman, Steven (1997) 'Difference troubles: Queering social theory and sexual politics', Cambridge: CUP
- Shipman, Beccy & Smart, Carol (2007) 'It's Made a Huge Difference: Recognition, Rights and the Personal Significance of Civil Partnership', *Sociological Research Online*, vol.12, no.1, <http://www.socresonline.org.uk/12/1/shipman.html> (accessed 16.4.2015)
- Silk, Paul & Walters, Rhodri (1998 4th ed.) 'How Parliament Works', London: Longman
- Sinfield, Alan (1994) 'The Wilde Century: Effeminacy, Oscar Wilde and the Queer Moment', London: Cassell
- Sinfield, Alan (1998) 'Gay and After', London: Serpent's Tail
- Smith, Anna Marie (1990) 'A Symptomology of an Authoritarian Discourse: The Parliamentary Debates on the Prohibition of Homosexuality', *New Formations* 10 pp.41-65
- Smith, Anna Marie (1991) 'Which One's the Pretender? Section 28 and Lesbian Representation', in Boffin, Tessa & Fraser, Jean (1991) *Stolen Glances: Lesbians Take Photographs*, London: Pandora, pp.128-139
- Smith, Anna Marie (1994a) 'New Right discourse on race and sexuality: Britain 1968-1990', Cambridge: CUP
- Smith, Anna Marie (1994b) 'The Imaginary Inclusion of the Assimilable "Good Homosexual": The British New Right's Representations of Sexuality and Race', *Diacritics*, vol.24, no.2/3, pp.58-70
- Smith, Anna Marie (1997) 'The centering of right-wing extremism through the construction of an 'inclusionary' homophobia and racism', in Phelan, Shane (ed.)(1997) *Playing with Fire: queer politics and queer theories*, New York: Routledge, pp.113-138
- Smith, Mark J. (1998) 'Social Science in question', London: Sage
- Stone, Lawrence (1977) 'The Family, Sex and Marriage in England 1500-1800', London: Weidenfeld and Nicholson
- Stonewall (2009) 'History of lesbian, gay and bisexual equality', [http://www.stonewall.org.uk/at\\_home/history\\_of\\_lesbian\\_and\\_gay\\_and\\_bisexual\\_equality/default.asp](http://www.stonewall.org.uk/at_home/history_of_lesbian_and_gay_and_bisexual_equality/default.asp) (accessed 3.7.2009 & 26.5.2014)

- Stonewall (2011a) 'Court Battles',  
[http://www.stonewall.org.uk/at\\_work/workplace\\_discrimination/4740.asp](http://www.stonewall.org.uk/at_work/workplace_discrimination/4740.asp) (accessed 19.1.2011)
- Stonewall (2011b) 'The Equality Act 2010 - Employment',  
[http://www.stonewall.org.uk/at\\_work/workplace\\_discrimination/4744.asp](http://www.stonewall.org.uk/at_work/workplace_discrimination/4744.asp) (accessed 19.1.2011)
- Stonewall (2011) 'An overview of employment protections for lesbian, gay and bisexual people', London: Stonewall
- Stonewall (2012) 'The School Report',  
[http://www.stonewall.org.uk/at\\_school/education\\_for\\_all/guide\\_links/education\\_resources/7956.asp](http://www.stonewall.org.uk/at_school/education_for_all/guide_links/education_resources/7956.asp) (accessed 5.7.2012)
- Stonewall (2014a) 'Case-law of the European Court of Human rights relevant to lesbian, gay and bisexual rights',  
[http://www.stonewall.org.uk/at\\_home/immigration\\_asylum\\_and\\_international/2681.asp](http://www.stonewall.org.uk/at_home/immigration_asylum_and_international/2681.asp) (accessed 7.6.2014)
- Stonewall (2014b) 'The EU and lesbian, gay and bisexual rights',  
[http://www.stonewall.org.uk/at\\_home/immigration\\_asylum\\_and\\_international/2682.asp](http://www.stonewall.org.uk/at_home/immigration_asylum_and_international/2682.asp) (accessed 7.6.2014)
- Taylor, Yvette (2005) 'Inclusion, exclusion, Exclusive? Sexual Citizenship and the Repeal of Section 28/2a', *Sexualities* vol.8, no.3, pp.375-380  
<http://sexualities.sagepub.com/cgi/content/8/3/375>
- Taylor, Yvette (2005) 'The Gap and How to Mind it: Intersections of Class and Sexuality', *Sociological Research Online*, vol.10, no.3,  
<http://www.socresonline.org.uk/10/3/taylor.html> (accessed 16.4.2015)
- Taylor, Yvette (2008) 'Un/Civil Partnerships: Class in Lesbian Relationships', in Kohlke, Marie-Luise & Orza, Luisa (eds), *Papers Presented at the 3rd Global Conference on Sex and Sexuality*, Critical Issues Project: Persons and Sexuality, vol.44, pp.93-105, Oxford: Inter-Disciplinary Press  
<http://www.persons.org.uk/publishing/idp/eBooks/ptp%202.2.pdf#page=96> (accessed 16.4.2015)
- Tobin, Ann (1990) 'Lesbianism and the Labour Party: The GLC Experience', in *Perverse Politics: Lesbian Issues*, Feminist Review No.34
- Trumbach, Randolph (1977) 'London's Sodomites: Homosexual Behaviour and Western Culture in the Eighteenth Century', *Journal of Social History*, vol.11, no.1, Autumn 1977 pp.1-33
- Trumbach, Randolph (1989a) 'Gender and the Homosexual Role in Modern Western Culture: the 18th and 19th Centuries Compared', in Altman, D.,



- Vance, C., Vicinus, M. & Weeks, J. (eds) (1989) *Which Homosexuality? essays from the international conference on lesbian and gay studies*, London: GMP and Amsterdam: Uitgeverij An Dekker/Schorer, pp.149-169
- Trumbach, Randolph (1989b) 'Sodomitical Assaults, Gender Roles and Sexual Development in 18th Century London', in Gerard, Kent & Hekma, Gert (eds) (1989) *The Pursuit of Sodomy: Male Homosexuality in Renaissance and Enlightenment Europe*, New York: Haworth Press, pp.407-29
- Trumbach, Randolph (1991a) 'The Birth of the Queen: Sodomy and the Emergence of Gender Equality in Modern Culture 1660-1750', in Duberman, M., Vicinus, M. & Chauncy, G. (1991) *Hidden from History: Reclaiming the Gay and Lesbian Past*, London: Penguin, pp.129-140
- Trumbach, Randolph (1991b) 'Sex, Gender, and Sexual Identity in Modern Culture: Male Sodomy and Female Prostitution in Enlightenment London', *Journal of the History of Sexuality*, vol.2, no.2, Special Issue, Part 1: The State, Society, and the Regulation of Sexuality in Modern Europe, October 1991, pp.186-203
- UKIA United Kingdom Intersex Association (2015) 'What is "Intersex"?'  
<http://www.ukia.co.uk/ukia/what-is-intersex.html> (accessed 22.4.2015)
- UK Political Info: Voter Turnout at UK General Elections 1945-2005,  
<http://www.ukpolitical.info/Turnout45.htm> (accessed 10.1.2010)
- UNISON (2003) 'Government consultation on civil partnership - a framework for the legal recognition of same sex couples',  
[http://www.unison.org.uk/out/pages\\_view.asp?did=676](http://www.unison.org.uk/out/pages_view.asp?did=676)  
 (accessed 27.1.2010)
- Vance, Carole S. (1989) 'Social Construction Theory: Problems in the History of Sexuality', in Altman, D., Vance, C., Vicinus, M. & Weeks, J. (eds) (1989) *Which Homosexuality? essays from the international conference on lesbian and gay studies*, London: GMP and Amsterdam: Uitgeverij An Dekker/Schorer, pp.13-34
- Vicinus, Martha (1989) 'They Wonder to Which Sex I Belong: The Historical Roots of the Modern Lesbian Identity', in Altman, D., Vance, C., Vicinus, M. & Weeks, J. (eds) (1989) *Which Homosexuality? essays from the international conference on lesbian and gay studies*, London: GMP and Amsterdam: Uitgeverij An Dekker/Schorer, pp.171-198
- Waites, Matthew (1995) 'The Age of Consent Debate: A Critical Analysis', unpublished MA thesis, University of Essex (electronic txt copy from author, page numbers estimated from Contents page)

- Waites, Matthew (1999) 'The Age of Consent, Homosexuality and Citizenship in the United Kingdom 1885-1999', unpublished PhD thesis, South Bank University, copy at LAGNA archives
- Waites, Matthew (2000) 'Homosexuality and the New Right: The Legacy of the 1980s for New Delineations of Homophobia', *Sociological Research Online* vol.5 no.1,  
<http://www.socresonline.org.uk/5/1waites.html> (accessed 15/2/2010)
- Waites, Matthew (2001) 'Regulation of Sexuality: Age of Consent, Section 28 and Sex Education', *Parliamentary Affairs* (2001) 54, pp.495-508
- Waites, Matthew (2002) 'Inventing a Lesbian Age of Consent'? The History of the Minimum Age for Sex between Women in the UK', *Social and Legal Studies*, vol.11, no.3, pp.323-342  
<http://sls.sagepub.com/content/11/3/323>
- Waites, Matthew (2003) 'Equality at Last? Homosexuality, Heterosexuality and the Age of Consent in the United Kingdom', *Sociology* vol.37, no.4 pp.637-655 <http://soc.sagepub.com/cgi/content/abstract/37/4/637>
- Waites, Matthew (2005a) 'The Age of Consent: Young People, Sexuality and Citizenship', Basingstoke: Palgrave Macmillan
- Waites, Matthew (2005b) 'The Fixity of Sexual identities in the Public Sphere: Biomedical Knowledge, Liberalism and the Heterosexual/Homosexual Binary in Late Modernity', *Sexualities* vol.8, no.5, pp.539-569  
<http://sexualities.sagepub.com/cgi/content/abstract/8/5/539>
- Waites, Matthew (2008) 'Analysing Sexualities in the Shadow of War: Islam in Iran, the West and the Work of Reimagining Human Rights', *Sexualities*, vol.11, nos.1-2, pp.64-73
- Waites, Matthew (2009) 'Critique of 'sexual orientation' and 'gender identity' in human rights discourse: global queer politics beyond the Yogyakarta Principles', *Contemporary Politics*, vol.15, no.1, pp.137-156
- Waites, Matthew (2013) 'United Kingdom: confronting criminal histories and theorising decriminalisation as citizenship and governability', in Lennox, C. & Waites, M. (eds) (2013) *Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change*, Institute of Commonwealth Studies, University of London,  
<http://commonweath.sas.ac.uk/publications/house-publications/lgbt-rights-commonwealth> (accessed 10.6.2014)
- Warner, Michael (ed.) (1993) 'Fear of a Queer Planet: Queer Politics and Social Theory', London: University of Minnesota Press



- Warner, Michael (1999) 'The Trouble with Normal: sex, politics and the ethics of queer life', New York: Free Press
- Watney, Simon (1980) 'The Ideology of GLF', in Gay Left Collective (eds) (1980) *Homosexuality: Power and Politics*, pp.64-76, London: Allison & Busby
- Watney, Simon (1997) [1987] (3rd edn) 'Policing Desire: Pornography, AIDS and the Media', London: Cassell
- Watson, Tom & Hickman, Martin (2012) 'Dial M for Murdoch: News Corporation and the Corruption of Britain', London: Penguin
- Weeks, Jeffrey (1977) 'Coming Out: Homosexual Politics in Britain, from the Nineteenth Century to the Present', London: Quartet Books
- Weeks, Jeffrey (1981) 'Sex, Politics and Society: The Regulation of Sexuality Since 1800', Harlow: Longman
- Weeks, Jeffrey (1985) 'Sexuality and its Discontents: Meanings, myths and modern sexualities', London: Routledge and Kegan Paul
- Weeks, Jeffrey (1987) 'Questions of Identity', in Caplan, Pat (1987) *The Cultural Construction of Sexuality*, London: Tavistock pp.31-51
- Weeks, Jeffrey (1989a) 'Sex, Politics and Society: The Regulation of Sexuality Since 1800', (2nd edn), London: Longman
- Weeks, Jeffrey (1989b) 'Against Nature' in Altman, D., Vance, C., Vicinus, M. & Weeks, J. (eds) (1989) *Which Homosexuality? essays from the international scientific conference on lesbian and gay studies*, London: GMP and Amsterdam: Uitgeverij An Dekker/Schorer, pp.199-213
- Weeks, Jeffrey (1991a) 'Inverts, Perverts, and Mary-Annes: Male Prostitution and the Regulation of Homosexuality in England in the Nineteenth and Early Twentieth Centuries', in Duberman, M., Vicinus, M. & Chauncy, G. (1991) *Hidden from History: Reclaiming the Gay and Lesbian Past*, London: Penguin, pp.195-211
- Weeks, Jeffrey (1991b) 'Against Nature: Essays on history, sexuality and identity', London: Rivers Oram Press
- Weeks, Jeffrey (1995) 'Invented Moralities: Sexual Values in an Age of Uncertainty', Cambridge: Polity Press
- Weeks, Jeffrey (2000) 'Making Sexual History', Cambridge: Polity Press
- Weeks, Jeffrey (2005) 'Remembering Foucault', *Journal of the History of Sexuality*, vol.14, nos.1-2, pp.186-201
- Weeks, Jeffrey (2007) 'The World We Have Won', Abingdon: Routledge
- Weeks, Jeffrey (2008a) 'Traps We Set Ourselves', *Sexualities*, vol.11, nos.1-2, pp.27-33

<http://sex.sagepub.com/content/11/1-2/27>

Weeks, Jeffrey (2008b) 'Regulation, Resistance, Recognition', *Sexualities* vol.11, no.6, pp.787-792

<http://sex.sagepub.com/content/11/6/787>

Weeks, Jeffrey (2011) 'The Languages of Sexuality', Abingdon: Routledge

Weeks, Jeffrey (2012) 'Sex, Politics and Society: The regulation of sexuality since 1800', (3rd edn), Edinburgh: Pearson

Weeks, Jeffrey (2013) 'Obituary: Mary McIntosh 1936-2013', *Sexualities* vol.16, nos.5/6, pp.743-746

Weeks, J., Holland, J. & Waites, M. (eds) (2003) 'Sexualities and Society', Cambridge: Polity Press

Weinberg, George (1972) 'Society and the Healthy Homosexual', New York: St Martin's Press

White, Allon (1993) 'Carnival, Hysteria and Writing', Oxford: OUP

Williams, Raymond (1976) 'Keywords: A vocabulary of culture and society', London: Fontana

Williams, Raymond (1977) 'Marxism and Literature', Oxford: OUP

Williams, Raymond (1981) 'Culture', London: Fontana

Williams, Raymond (1986) 'The Uses of Cultural Theory', *New Left Review*, I/158 July-August 1986, pp.19-31

Wilson, Elizabeth (1991) 'The Sphinx in the City', London: Virago

Wise, Sue (2000) '“New Right” or “Backlash”? Section 28, Moral Panic and “Promoting Homosexuality”', *Sociological Research Online* vol.5 no.1

<http://www.socresonline.org.uk/5/1/wise.html> (accessed 15/2/2010)

Yip, Andrew K T (2003) 'Sexuality and the Church', *Sexualities* vol.6 no.1 pp.60-64

<http://sexualities.sagepub.com/cgi/content/6/1/60>

Yip, Andrew K T (2010) 'Sexuality and religion/spirituality', *Sexualities* vol.13 no.6 pp.667-670

<http://sex.sagepub.com/content/13/6/667>

Zajonc, Robert B. (2001) 'Mere Exposure: A Gateway to the Subliminal', *Current Directions in Psychological Science*, vol.10, no.6, pp.224-8